

11-1-86

DECLARATION OF GERALD ARMSTRONG

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I, Gerald Armstrong, declare:

1. I am making this declaration in support of an opposition to plaintiff organization's motion for summary adjudication.

2. The organization's motion deals with a serious issue, one which affects the life of potentially thousands of individuals, and one which has become for me emotionally devastating and mind-altering, in a manner which is illogical and perverse. The realization that the people behind this motion and behind all the pc file violations; that is, the attorneys and the few who control organization money, will stop at nothing, no lie, or perversion of reality, no act, to, as Hubbard ordered, ruin me utterly, has some time ago gone far beyond a passing thought.

3. Mr. Peterson's argument in the summary adjudication motion is that "by 1978 (I) knew, or reasonably should have known" about the violations of my pc files, and that because my cross-complaint was filed in September 1982, my causes of action for fraud, intentional infliction of emotional distress and breach of contract as they relate to the organization's violations of my pc files are barred by applicable statutes of limitation. Mr. Peterson twists what I knew in 1978 with what I knew in the fall of 1981 and what I learned subsequently. The

1 whole statute of limitations argument is rendered ludicrous,
2 however, by the fact that the organization and its attorneys
3 have continued both the fraud of promised sanctity of pc files
4 and violation thereof right up to the present time. Attached
5 hereto as Exhibit A is a copy of the organization's "objection
6 to release of preclear files "dated July 3, 1986 filed with this
7 Court. At p. 2 of this document, organization attorney Donald
8 Randolph states: "only within the last few weeks have these
9 files been copied, indexed and reviewed by counsel." Mr.
10 Randolph included in the "objection" several pages of statements
11 he gloats were culled from my pc files. I have blacked out
12 these statements in the document copy attached.

13
14 4. Attached hereto as Exhibit B is a copy of a
15 declaration dated December 18, 1983 which I wrote to support a
16 motion to get my pc files delivered to me. At p. 8 I state, "I
17 do not waive the (priest-penitent) privilege, and in fact I
18 insist upon it." In a demonstration of the organizations's
19 malevolent intent, Mr. Randolph asks this Court a p. 5 of the
20 "objection" to "require Armstrong and his counsel to provide a
21 waiver of the priest-penitent privilege." To veil the
22 organization's antisocial acts with an illusion of legitimacy,
23 Mr. Randolph states at p. 6 of the "objection" that if I even
24 obtain copies of my pc files (part of which I do now have) the
25 organization "will be forced against its wishes, to utilize the
26 same documentation in its defense as evidence of Armstrong's
27 character and perjurious statements." This is blackmail. And
28 it is the clearest proof of the sanctity fraud, the

1 organization's actual policy regarding use of "confidential" pc
2 file information against the pc, and the basic fraud of Hubbard
3 and his creation.

4
5 5. Attached hereto as Exhibit C is a declaration dated
6 July 14, 1985 written by Frank K. Flinn, B.D., Ph.D., the
7 organization's "religious expert." This declaration was filed
8 in this case along with the organization's "response," of July
9 30, 1985 to the Court's July 2, 1985 Discovery Order. At
10 pp. 18-20, Dr. Flinn compares Scientology's policies and
11 practices regarding the "sanctity" of pre-clear files with those
12 of other "religions."

13
14 "Another religious practice of the Church of
15 Scientology which has come under scrutiny is the issue
16 of the confidentiality exercised with respect to the
17 auditing records of members and especially of the
18 "pre-clear files" of upper-level church members. I
19 find the practice of the Church of Scientology in this
20 regard fully in keeping with the practices of other
21 religions.

22
23 In general, there are two fundamental reasons why
24 churches, including the Church of Scientology, seek
25 confidentiality with regard to unauthorized examination
26 of spiritual records. The first is to preserve the
27 sanctity of the spiritual privacy of the believer.

28

1 In regard to the first reason, the spiritual privacy
2 of the believer, Scientology is like every religion
3 known to me. The Roman Catholic Church protects the
4 priest-penitent relationship with the severest of
5 sanctions, including dismissal from priestly office and
6 expulsion from the Church itself. Upon ordination
7 priests take an oath of the "confessional seal" before
8 they are allowed to hear the confession of sins and
9 administer official spiritual counselling. My pastor,
10 a Monsignor in the Roman Catholic Church, has testified
11 to me that he would undergo imprisonment and death
12 before revealing the contents of any confession,
13 whether this revelation was demanded by the President
14 of the United States or by the Pope of Rome.

15

16 Abuse of the archive and unauthorized divulging of
17 information can bring severe penalties, including
18 demotion from office, penances and even
19 excommunication.

20 Most Protestant denominations have similar regulations
21 and penalties in their respective church polities.
22 Likewise Scientology has codes of conduct for auditors
23 and other officials regarding authorized files. The
24 Church does not allow any outsider access to a
25 parishioner's files as a matter of priest-penitent
26 privilege, as is the case with other churches.
27 Confidentiality of this type of material touches on the
28 nerve center of religion itself. The historical record

1 shows that no church lightly suffers the intrusion into
2 such records by the government or any other outside
3 agency. The history of the Reign of Terror in France
4 reveals the great number of priests who went to the
5 guillotine rather than break the confessional seal."
6

7 Neither the President, the Pope, this Court nor anyone
8 other than the organizations' leaders and attorneys ordered the
9 violations of the "sanctity" of my pc files. These leaders and
10 the attorneys reveal a radically different standard of conduct
11 and ethics from that of the ministers of "other religions" who
12 went to the guillotine rather than divulge the confessions of
13 their preclears.
14

15 6. Attached hereto as Exhibit D is a declaration
16 signed by Reverend Ken Hoden, "president" of one of the new
17 "corporations" "divested" recently by the "California"
18 organization. This declaration was also filed in this case with
19 the "response" to the July 2, 1985 Discovery Order.
20

21 Mr. Hoden states at par. 3:

22 "Materials and information stored or recorded within
23 the confessional folders (PC folders) are confidential
24 and privileged. Our religious doctrine prohibits any
25 parishioner or person receiving pastoral counselling
26 (auditing) from viewing the contents of their folders.
27 Our religious doctrines also prohibit any external
28 dissemination of preclear folders. Even our attorneys

1 are forbidden to review these folders. The only people
2 who are allowed to view the pastoral counselling
3 folders are authorized Church ministers.

4 Yet, my pc files were given to attorneys, culled and
5 used against me. Mr. Randolph even defines the statements he
6 culled from my "confidential" pc files "as admissions against
7 Armstrong's interest." It is clear that the defense the
8 organization's attorneys have desperately devised to their
9 inhuman and criminal actions is the threatened divulgence of the
10 materials culled from my pc files and my resultant hoped and
11 worked for emotional disintegration. The filing of the culled
12 statements "under seal" is a cheap attempt to give an appearance
13 of morality to the organization's perfidious act. Dozens of
14 organization attorneys, staff members, and attorney staff have
15 seen the culled statements. They were placed in front of the
16 Judge in this case, the individual who can most affect the
17 outcome of this case and the rest of my life. Several of the
18 incidents "culled" from my pc files as "admissions" never
19 happened. Mr. Randolph and whoever helped him, in their
20 ignorance of auditing and recklessness, have apparently culled
21 imaginary "past life" incidents or have created the incidents
22 out of whole cloth. For several other incidents, Mr. Randolph's
23 interpretation is twisted beyond recognition. When he states at
24 p. 2 that "the Church still maintains that the sanctity of the
25 confessional must be placed above all other concerns," he lays
26 to rest Mr. Peterson's statute of limitations argument because
27 he shows that the fraud is continuing. The organization
28 is still claiming out of one side of its mouth that

1 the sanctity of pc files is its paramount concern while out the
2 other side it spits its victims' innermost thoughts and secrets
3 and when these treacherously obtained and used thoughts and
4 secrets are not sufficiently juicy to achieve the organization's
5 black PR ends, it has someone fabricate them.

6
7 7. At p. 8 of the summary adjudication motion Mr.
8 Peterson states:

9 "The only way Armstrong can avoid the bar of the
10 statute of limitations is by proving that he did not
11 and could not have discovered the events alleged in his
12 Cross Complaint any earlier than he did."

13 As has already been shown the culling of my filed
14 admitted to by the organization occurred in 1986 and I only
15 learned of this fact in July this year, almost four years after
16 the filing of the cross-complaint. Attached hereto as Exhibit E
17 is a page from what the organization produced as my "B-1 time
18 track." The entry at April 7, 1980 is taken from my pc files
19 (in session). I only learned of this culling in March 1985 when
20 the organization produced some B-1 materials in the
21 Christofferson case in Oregon. Even using the organization's
22 date for the culled incident of April 7, 1980, this is two years
23 after the 1978 date Mr. Peterson would like the Court to use.
24 And when I learned of this culling is two and half years after
25 the filing of the cross-complaint. Attached hereto as Exhibit F
26 is a document entitled "Gerry Armstrong Project" dated February
27 17, 1982. Step 2 reads:

28 "Go through his files and folders to extract the names

1 of people who knew him and who are still well connected
2 up and completely trustworthy. Interview these people
3 to find out who Gerry's close friends were and to see
4 if he had any relatives in this area (we could then
5 follow up to see if he might be staying with them).

6 This is the use of my pc files for intelligence data to be used
7 against me. Attached hereto as Exhibit G is a "daily report
8 dated February 22, 1982, from Assistant Guardian for
9 Intelligence (AGI), Brad Ballentine to his organizational
10 seniors at GOUS. He states in the fourth paragraph:

11 "SU (Special Unit, the name for the Gilman Hotspring
12 compound) and Flag (the Clearwater, Florida base) have
13 sent us all their files on him (Armstrong)."

14 "Us" is the GO intelligence bureau. I only learned of
15 this transmission of my pc files to the organization's
16 intelligence bureau and this use to which they were then put in
17 March 1985, again two and half years after the filing of the
18 cross-complaint. Attached hereto as Exhibit H is a declaration
19 dated May 7, 1985 written by me in support of efforts to obtain
20 my pc files from the organization, and prevent its continued
21 violations of them. In paragraphs 5 through 9 I describe an
22 organization intelligence operation involving the use of my pc
23 files to entrap me. Much of the operation occurred in 1984,
24 some six years after Mr. Peterson claims I should have known
25 about it. I only became aware of the operation in April 1985
26 when organization attorneys used its product to attack me in the
27 Christofferson case. It's perhaps unfortunate for the
28 organization that it gave my pc files to the intelligence bureau

1 for culling and intelligence purposes in 1982, used
2 them to set up the illegal videotaping of me in 1984,
3 and again culled my files to concoct the "objection
4 to release of preclear files" in 1986, since in so
5 doing it lost any shot it may have had at obtaining a
6 summary adjudication based on the statutes of
7 limitations. The organization's misfortune cannot
8 begin, however, to compare with the pain and anguish
9 it subjected me to with these acts. If the
10 organization had acted decently, and not violated
11 either overtly or covertly, my pc files, the
12 situation today might be quite different.

13
14 8. Even without considering the pc file violations
15 after I left the organization in 1981 or even back
16 into the 1970's, the summary adjudication motion
17 still falls because I had been rendered by the
18 organization and Hubbard, until I began to come to my
19 senses in late 1981, something different from "a
20 reasonably prudent person." Mr. Peterson has
21 selected statements from some of my response to
22 interrogatories as "admissions against (my) own
23 interest" to show that I learned of the culling in
24 the 1970's while in the organization. From the same
25 responses used by Mr. Peterson, attached to his
26 motion as Exhibit A, I have excerpted the following
27 three statements by me which show why a reasonably

28 ////

1 prudent person perceiving the same tip of the pc file violation
2 iceberg that I did in the 1970s would or should have felt in
3 disgust and filed suit for the fraud and related crimes and torts,
4 and why I could not.

5 P.6 "In 1976 while locked up and guarded by the
6 Guardian's Office on the orders of L. Ron Hubbard, I was
7 told that my auditing reports were being gone through by
8 GO staff. Had I protested this action, I would have
9 remained locked up indefinitely. I had no control of my
10 preclear folders, nor any control of those who had
11 access to them. My will was broken by this time, and I
12 was effectively controlled and manipulated by L. Ron
13 Hubbard and the organization.

14 In 1976 through through December of 1977, I was
15 assigned to and kept on the RPF by L. Ron Hubbard and
16 those under his control. A system of control and
17 deprivation was exerted over me throughout this period
18 and a campaign of harassment and terror was directed
19 against me and the RPF as ordered by Hubbard.

20

21 P.9 "If I had known of the existence of this policy
22 (GO 121669) and the practice of disclosure of
23 "confidential" session information, I would never have
24 become involved with Scientology. I was brought along
25 as far as I went with the organization by the
26 systematic trickery and manipulation by L. Ron Hubbard
27 and the organization.

28

1 P.23 "I spent from July 1, 1976 to December 1, 1977 on
2 the RPF on Hubbard's order. I was humiliated, degraded,
3 terrorized and defrauded by Hubbard during this period.
4 I underwent tremendous emotional trauma and lost self
5 respect and rationality.

6 The proof of the mind manipulation run by Hubbard and the
7 organization is that I stayed so long after so much degradation
8 and betrayal. Only in late 1981 when I spotted Hubbard as the
9 source of the fraud and the organization's antisocial conduct, and
10 after leaving the organization when the control mechanisms began
11 to fall away, did I become aware of the criminal significance of
12 pc file culling and the fraud which makes it possible.

13
14 9. Hubbard also used the auditing process itself, by
15 which he claimed to be freeing people, to subtly program them to
16 not even think a critical thought about the deplorable conditions
17 in which they were kept, including a questioning of auditing or
18 the pc file violations which might be observed or heard about.
19 During any auditing session, if the preclear makes any critical
20 comment, the auditor will immediately demand of the preclear any
21 "overt", that is any misdeed, crime or intentionally harmful act,
22 he has committed. In Hubbard's system, any criticism meant that
23 the person making it had a hidden undisclosed crime. One of his
24 bulletins, "Session Must-nots," attached hereto as Exhibit I,
25 states this point:

26 "When a pc is critical of the auditor, the organization
27 or any of the many things in life, this is always a
28 symptom of overts priorly committed by the pc.

1

....

2

This is a sweeping fully embracive statement - and a true one. There are no criticisms in the absence of overts committed earlier by the pc.

3

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Very soon after some auditing in the Sea Organization I learned that any criticism I had meant I had done something bad, and after a while I even was stopped from thinking any thought critical of Hubbard or the organization. In Hubbard's dictionary of Scientology terms, a "critical thought" in fact is defined as "a symptom of an overt act having been committed." The page from the dictionary is attached hereto as Exhibit J. This concept, although programmed into people in auditing, pervaded every part or aspect of the organization. So the criticisms of a staff member about Hubbard's or the GO's practices, and specifically pc file violations, were not listened to; rather he would be investigated or sec checked for his "crimes." By contrast, however, it could never be thought that Hubbard, who was constantly critical of doctors, judges, scientists, psychologists, government, teachers, and especially Scientologists and Sea Org members, had himself committed crimes or overts, because such a thought about him was clearly "critical." Thus he achieved almost absolute mind control.

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10. Beginning at page 10 of the summary adjudication motion, Mr. Peterson makes a confusing argument that:

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"Armstrong is barred by Statute of Limitations from asserting Scientology's religious status, and auditing benefits as "misrepresentations" as Armstrong had a

1 duty to investigate these "facts" more than 3 years
2 prior to date of cross-complaint.

3 Mr. Peterson further states at p. 14:

4 "Clearly, if Armstrong is to be believed, he was aware
5 of what he terms the scientific non-religious nature
6 of Scientology no later than 1975.

7 How that helps the organization's position is baffling. It is
8 the basis of the whole Hubbardian fraud. It was Hubbard's
9 scientific guarantees for auditing and Scientology which were the
10 lure into the organization. Even the promise of auditing
11 confidentiality was given in scientific terms and differentiated
12 from "religious confessions" which Hubbard claimed had
13 degenerated into "a kind of blackmail." In his bulletin of
14 January 21, 1960, attached hereto as Exhibit K he stated:

15 "Some churches used a mechanism of confession. This
16 was a limited effort to relieve a person of his overt
17 acts. Later the mechanism of confession was employed
18 as a kind of blackmail by which increased contribution
19 could be obtained from the person confessing. Factually
20 this is a limited mechanism to such an extent that it
21 can be extremely dangerous. Religious confession does
22 not carry with it any real stress of responsibility
23 for the individual but on the contrary seeks to lay
24 responsibility at the door of the Divinity -- a sort of
25 blasphemy in itself. I have no axe to grind here with
26 religion. Religion as religion is fairly natural. But
27 psychotherapy must be in itself a completed fact or, as
28 we all know, it can become a dangerous fact.

1 Hubbard goes on in the same bulletin to ask auditors to "make
2 your pc write these overts and withholds down and sign them and
3 send them off to me." His motivation for this policy is not
4 altruistic, and it only became clear to me in 1981.

5 The other part of Mr. Peterson's argument is that since
6 I had some doubts in my early Scientology years I had a duty from
7 that point to investigate. Mr. Peterson includes in the testimony
8 from the trial in the underlying case, however, at p. 15 of the
9 motion my statement of what happened when I did question the fact
10 that the auditing I had had did not resolve what I considered
11 the essential problem: "I was told after doing the auditing steps
12 that that would only happen at Clear." And "clear" only happened
13 around 1979, and that did not produce the promised results of
14 auditing, but I was told these would happen at another "higher
15 level" called OT III. In other words an aspect of the continuing
16 fraud was bait and switch.

17 Attached hereto as Exhibit L is a policy written by
18 Hubbard dated February 25, 1966 entitled "Attacks on Scientology"
19 wherein he orders:

20 "NEVER agree to an investigation of Scientology. ONLY
21 agree to an investigation of the attackers."

22 The investigation Mr. Peterson is seeking to convince the Court
23 I had a duty to make was impossible. In fact I did something
24 of an investigation in 1980 and 1981 when it was somewhat
25 possible and the results of the investigation were a major factor
26 in my leaving the organization and Hubbard.

27 11. Mr. Peterson claims at p. 16 of the motion that the
28 intentional infliction of emotional distress cause of action is

1 barred by the statute of limitations in regards to the pc file
2 violations since I was emotionally distressed in 1976 and 1977
3 while I was locked, in the RPF and generally being manipulated
4 and degraded on a daily basis by the organization on Hubbard's
5 orders. Mr. Peterson's argument is hollow since culling of my
6 files occurred as well, as has been shown above, in the 1980s and
7 as recently as July this year. The emotional distress I have
8 experienced from the 1986 culling alone is beyond description.
9 Mr. Peterson's argument that I am barred by the statute of
10 limitations because of my knowledge in the 1970s that pc file
11 culling occurred is like telling a victim of years of abuse that
12 he or she cannot do anything about it because the abuse has gone
13 on so long.

14 Interrogatory no. 16, the response to which Mr.
15 Peterson has quoted from at p. 17, states:

16 "With regard to the second cause of action of your first
17 amended cross-complaint for damages for alleged
18 intentional infliction of emotional distress against
19 cross-defendants Scientology and Hubbard, to the extent
20 you have not done so, in response to the above
21 interrogatory, provide the following factual basis for
22 such cause of action:

23 A. The specific and full factual basis for all the
24 allegations contained in said cause of action.


25 Mr. Peterson's assumption that the date that I "first suffered
26 severe emotional distress as a consequence" of realizing the
27 organization had and would my innermost thoughts and secrets,
28 was "by 1978" is erroneous. And the conclusion, at p. 18 of the

1 motion, that "Armstrong had knowledge of what he contends were all
2 the above referenced breaches of the so-called contract no later
3 than December 1, 1977," and at p. 8 that "(i)n reality,
4 Armstrong has not testified that he knew anything in the Fall of
5 1981 that he had not already known as of 1978, by the latest"
6 omit any reference to and attempt to slip by the whole biography
7 project, Hubbard's archives and the underlying case which the
8 organization brought.

9 I declare under penalty of perjury under the laws of
10 the State of California that the foregoing is true and correct.

11 Executed this first day of November, 1986 at Boston,
12 Massachusetts.

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16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES

18 CHURCH OF SCIENTOLOGY OF) No. C 420 153
19 CALIFORNIA, a California)
20 Corporation,)
21) OBJECTION OF CROSS-DEFENDANT
22 Plaintiff,) CHURCH OF SCIENTOLOGY OF
23) CALIFORNIA TO RELEASE OF
24 v.) PRECLEAR FILES
25)
26) [UNDER SEAL]
27 GERALD ARMSTRONG, et al.,)
28)
29 Defendants.)
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I.

INTRODUCTION

The Church has fought, at all times herein, to protect
Armstrong's privacy, and the privacy of its other
parishioners, by refusing to produce the preclear files
relating to Armstrong for an in camera inspection.
Needless to say, the Church does not wish to jeopardize its
ability to provide religious services to all of its

1 adherents simply because one ex-member lacks respect for its
2 religious principles. The Church urges this Court to consider
3 carefully, as several other courts have done, the potential
4 adverse impact on religious confidentiality for all Church
5 members which arises from Armstrong's own attempts at
6 self-destruction through insisting that his preclear files
7 become discoverable.

8 Throughout this litigation, the Church has maintained
9 these files securely and in confidence, and only within the
10 last few weeks have these files been copied, indexed and
11 reviewed by counsel in preparation for their production as
12 ordered by this Court. As is evident below, the Church has
13 very obviously not utilized or disseminated the information
14 contained in these files at any point. As is also evident
15 below, there is significant information contained in these
16 files which is directly contradictory and otherwise quite
17 detrimental to Armstrong's assertions in support of his case.
18 Additionally, there is a great deal of information contained
19 in the files which is undoubtedly personally embarrassing to
20 Mr. Armstrong and extremely destructive to his reputation and
21 credibility. Nonetheless, even in full awareness of the
22 damage that the contents of these files could inflict upon
23 Armstrong and his claims, the Church still urges this Court to
24 maintain the privacy of the documents and the information
25 contained therein. This position is not based upon any
26 overriding concern for Armstrong's welfare; rather, the Church
27 still maintains that the sanctity of the confessional must be
28 placed above all other concerns.

II.

APPROPRIATE ALTERNATIVES AVAILABLE TO THIS COURT

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3 In Wollersheim v. Church of Scientology of California,
4 et al., Los Angeles Superior Court No. C 332 027, the
5 Honorable Ronald Swearinger was faced with a similar, although
6 possibly even more serious, situation. In that case,
7 plaintiff Larry Wollersheim had alleged that the pastoral
8 counseling delivered to him by the Church had directly
9 resulted in physical and emotional damage to him. He further
10 alleged that the preclear files pertaining to him were
11 directly relevant as evidence of this damage, and the
12 intentional or negligent infliction emotional distress to
13 him.

14 As in the case herein, the production of the preclear
15 files relating to Larry Wollersheim occurred in stages, with
16 the Church bringing to the Court's attention at each stage the
17 relevant objections. On February 28, 1986, Judge Swearinger
18 required plaintiff Wollersheim to inform the Court that a
19 knowing and informed waiver of the priest-penitent privilege
20 was being made. (See Declaration of John G. Peterson, attached
21 hereto as Exhibit "A".)

22 On March 13, 1986, Judge Swearinger took note of the
23 November 5, 1985 Order issued by the Honorable Judge Mariana
24 Pfaelzer in the case of Religious Technology Center, et al.
25 v. Larry Wollersheim, et al., U.S.D.C. C.D.Ca. Civil Action
26 No. 85-7197-MRP. That Order described as "confidential
27 religious scriptures" the materials known within the Church as
28 "(1) Solo Part II, (2) Power, (3) R6EW, (4) DCSI, (5) Sunshine

1 Rundown, (6) Clearing Course, (7) OT I, (8) OT II, (9) OT III,
2 . . ." (See Temporary Restraining Order, attached hereto as
3 Exhibit "B".) Following the decision reached by Judge
4 Pfaelzer, Judge Swearinger ordered that "[w]e are not going
5 into the contents of those upper level materials." (See March
6 13, 1986 Trial Transcript, pp. 2208-2209, attached hereto as
7 Exhibit "C".) Judge Swearinger reiterated on April 3, 1986
8 that no testimony from the upper levels materials, being
9 defined as "Power through NOTS", would be allowed into the
10 trial of the action. (See April 3, 1986 Trial Transcript, pp.
11 4786-4787, attached hereto as Exhibit "D".) Thereafter, the
12 preclear files were produced to Judge Swearinger for his in
13 camera inspection. The files containing upper level
14 materials were not required to be produced, and were not
15 produced.

16 On May 6, 1986, after Judge Swearinger had thoroughly
17 reviewed the contents of the files, a discussion was held
18 concerning the "tremendous confusion and side shows" that the
19 introduction of the preclear files into the Wollersheim case
20 would create. (See May 6, 1986 Trial Transcript, p. 7571,
21 attached hereto as Exhibit "E".)

22 A procedure whereby the files were maintained by the
23 Court, but in which Wollersheim and his counsel could review
24 them in the presence of a referee, was established. No such
25 review occurred, apparently due to a decision by Wollersheim
26 and his counsel that the interests balanced by the information
27 contained in those files becoming public or staying private
28 came down on the side of privacy.

1 The alternative suggested by the Wollersheim case is
2 completely applicable and appropriate to the case herein. The
3 Church has not produced the three files pertaining to
4 Armstrong which contain "confidential religious scriptures".
5 Those files, covering the time period from just a portion of
6 1978 into early 1980, include "(1) Solo Part II, . . . (6)
7 Clearing Course, (7) OT I, (8) OT II, [and] (9) OT III"
8 materials. It has, however, produced for inspection the
9 twenty-five files covering the time period from Armstrong's
10 first pastoral counseling, in 1970, up through the portion of
11 1978 when he engaged in the confidential upper level
12 counseling. This Court should require only the production of
13 the preclear files already produced.

14 This Court should also, as was established by the
15 Wollersheim court, require Armstrong and his counsel to
16 provide a waiver of the priest-penitent privilege prior to any
17 review of the files which have been produced. The procedure
18 formulated by Judge Swearinger, which would allow Armstrong and
19 his counsel to review the files in the presence of a referee,
20 is likewise completely appropriate for the case herein. Upon
21 completion of his review, this Court should require Armstrong
22 to specifically state which documents support his claims. The
23 Church is confident that Armstrong will be unable to
24 demonstrate any support for his claims that Armstrong's
25 files were "culled" for the simple reason that no such action
26 has occurred.

27 It seems highly unlikely that Armstrong and his counsel,
28 once they have reviewed these files, will still insist on

1 making their contents a part of this case as such an action
2 will create only harm to Armstrong. The Church has not
3 utilized these files in any way for this litigation, and
4 repeats its offer at this time to destroy the files, and any
5 copies thereof, in Armstrong and/or his counsel's presence
6 should they now be willing to adopt this course of action.


7 III.

8 INFORMATION IN THE PRECLEAR FILES IS HARMFUL
9 TO ARMSTRONG'S CASE AND CHARACTER

10 If Armstrong insists on making the contents of these
11 files a part of this case by obtaining copies of them, and if
12 the Court does not reconsider its intention to release these
13 preclear files to Armstrong, the Church will be forced,
14 against its wishes, to utilize the same documentation in its
15 defense as evidence of Armstrong's character and perjurious
16 statements.

17 A. Statements Regarding Armstrong's Case

18 The files contain numerous references to admissions by
19 Armstrong which are directly contradictory to his allegations
20 in the Third Amended Cross-Complaint as well as
21 representations made directly to this Court in various
22 declarations. Information in this regard includes the
23 following:

24 1. On November 18, 1977, Armstrong commented to his
25 minister 

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[REDACTED]

. On February 26, 1977, Armstrong informed his minister [REDACTED]

. On November 13, 1976, Armstrong stated that [REDACTED]

2. On October 24, 1977, Armstrong informed his minister that [REDACTED]

3. On October 16, 1977, Armstrong informed his minister that [REDACTED]

4. On September 20, 1977, Armstrong informed his minister that [REDACTED]

5. On September 2, 1977, Armstrong confessed to his minister that [REDACTED]

6. On May 5, 1977, Armstrong informed his minister that, [REDACTED]

7. On February 27, 1977, Armstrong informed his minister that [REDACTED]

8. On February 26, 1977, Armstrong described the

[REDACTED]

All of the above statements by Armstrong are highly relevant to this action. They lead to the inescapable conclusion that Armstrong has lied to this Court and, when that ultimately proves to be the case, contempt and dismissal of the action is the proper sanction.

B. Statements Regarding Armstrong's Character

Other admissions contained in these files, which go directly to Armstrong's credibility and character, include the following:

1. Armstrong admitted to his ministers on numerous occasions that

[REDACTED]

(see, e.g., March 26, 1970 and July 16, 1970 statements); [REDACTED] (see, e.g., statement of April 17, 1970); [REDACTED]

[REDACTED] (see, e.g., statements of December 31, 1972 and July 20, 1973); [REDACTED] (see, e.g., June 30, 1977 statement).

2. Armstrong admitted to his ministers on numerous occasions that

[REDACTED]

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[REDACTED]

(see, e.g., statements of July 18, 1974 and September 6, 1977);

[REDACTED]

(see, e.g., statements of May 23, 1970, July 18, 1974 and February 27, 1977);

[REDACTED] (see, e.g., statement of May 23, 1970);

[REDACTED] (September

24, 1976); [REDACTED] (see,

e.g., statement of December 8, 1976);

[REDACTED] (see, e.g.,

statements of April 14, 1970, February 6, 1971 and August 12,

1977);

[REDACTED] (September 6, 1977);

[REDACTED] (see, e.g.,

statements of September 15, 1971 and February 26, 1972).

3. Armstrong admitted to his ministers that [REDACTED]

[REDACTED] (See, e.g., statement of July 25, 1973.)

4. Armstrong admitted to his auditors on numerous

occasions that [REDACTED]

[REDACTED]

[REDACTED]

(See, e.g., statements of February 6, 1971;

February 15, 1971; September 15, 1971; and October 10, 1972.)

The above admissions, if the Church is ever forced to use them, must be construed as admissions against Armstrong's interest. They paint an incredibly sad picture of a pathetic and troubled individual who engaged in one illegal or deviant

1 act after another until entering the Church; who continued,
2 although in a comparatively minor way, to practice his debased
3 activities while a member of the Church; and who immediately
4 resumed his extremely aberrated activities upon leaving the
5 Church as demonstrated by his theft of thousands of pages of
6 personal materials and his "talking pig" essay, a sickening
7 "personal creative work" authored by Armstrong for potential
8 publication. (See essay, attached hereto as Exhibit "F".)

9 IV.

10 THE DOCUMENT DATED NOVEMBER 26, 1976,
11 MARKED BY THE COURT AS SEALED EXHIBIT NO. 600,
12 IS NOT REPRESENTATIVE OF THE PRECLEAR FOLDERS

13 The document selected by the Court and denoted as sealed
14 Exhibit No. 600 in its Order of June 26, 1986 is not
15 representative of the majority of the documents contained in
16 the preclear files pertaining to Armstrong. The majority of
17 the documents contained in these preclear files are notes
18 taken by the ministers who delivered specific pastoral
19 counseling processes to Armstrong. Their notes, as
20 demonstrated above, reflect a great deal of spiritual
21 reflection and unburdening by Armstrong. The document
22 selected by this Court, however, is simply a review of an
23 earlier pastoral counseling process delivered to Armstrong;
24 its purpose was only to prepare Armstrong for additional
25 pastoral counseling processes.

26 Therefore, if the Court determines to release these files
27 to Armstrong, the Church proposes the addition of several
28 additional sealed exhibits as more truly being representative

1 of the documents contained within these preclear files. The
2 documents dated March 26, 1970, May 23, 1970, July 18, 1974,
3 and February 22, 1977 are hereby requested for introduction as
4 sealed Exhibits No. 601, 602, 603, and 604.

5 V.

6 FURTHER COMPLIANCE WITH THE COURT'S ORDER
7 OF JULY 2, 1985

8 Pursuant to this Court's Order of July 2, 1985, attached
9 hereto as Exhibit "G" is a list of each of the pastoral
10 counseling sessions contained within the preclear files by
11 date, the name of the minister who counseled Armstrong, and
12 the location where the counseling occurred when known.

13 VI.

14 CONCLUSION

15 For the reasons set forth hereinabove, the Church urges
16 this Court to allow Armstrong access to the preclear files for
17 inspection without copying or the taking of notes only. Such
18 an alternative will meet Armstrong's discovery objectives and
19 yet maintain the integrity of the confessional files without
20 interjecting their contents into this litigation. The Church
21 further urges this Court to require a waiver of the priest-
22 penitent privilege from Armstrong and his counsel prior to any
23 such inspection, to require a written statement specifying

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1 what documents support his claims, and to exclude any
2 production of the "confidential religious scriptures".

3 DATED: July 3, 1986

Respectfully submitted,

4 OVERLAND, BERKE, WESLEY, GITS,
5 RANDOLPH & LEVANAS

6 By:

7 DONALD C. RANDOLPH

8 Attorneys for Plaintiff and
9 Cross-Defendant Church of
10 Scientology of California

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1 auditor and penitent. I was told that these statements were
2 treated like the confessions of Catholics to their priests, that
3 they would never be passed on to others and would not be used
4 against the penitent. I was never told of use of auditing
5 information by the hierarchy of Scientology against penitents,
6 nor of the fact that the hierarchy and the intelligence bureau
7 personnel of Scientology had complete access to auditing files.
8 My learning of the actual use to which auditing information is
9 put was a major factor in my leaving the organization. The fact
10 that the organization refuses to turn over my personal records
11 by claiming they are "protected" by the "clergyman-penitent
12 privilege" which they have for decades ignored and abused, is a
13 situation designed by Scientology to bring about my emotional
14 disintegration.

15 5. I seek the delivery to me of my personal auditing and
16 ethics files for a number of reasons. They are my property
17 because they are my statements made as a penitent. As such, they
18 are protected by the "clergyman-penitent privilege." Yet, I
19 cannot exert the privilege, and stop the organization's use of
20 these files as long as they remain in Scientology's possession.
21 I seek an understanding from these records of what happened to me
22 during my thirteen years of involvement with Scientology. There
23 are aspects of the mind control by Hubbard and the organization
24 which as yet elude me. I worked over eleven years, virtually
25 without pay and doing things as directed by Hubbard and the
26 organization that no sane person would do. I feel that my
27 auditing records will shed a great deal of light on this
28 subject. My emotional stability I feel was damaged by

1 Scientology, both while inside and by the attacks on me after
2 leaving, and the continued possession of my personal auditing
3 records and violation of my rights does not allow any emotional
4 healing. The organization or Hubbard and his agents will use the
5 information from my personal auditing files against me, both in
6 and out of the legal arena. I seek to prevent Hubbard and the
7 organization from this abusive action. Hubbard and the
8 organization have labelled me their "enemy" and a "suppressive
9 person" (or one of the 2 1/2 percent most evil people in the
10 world). They do not consider me a friend, and their motivation
11 for retaining my personal auditing files is not friendship or
12 interest in my welfare. They actively seek my destruction.

13 6. During my years of involvement with Hubbard and
14 Scientology I learned by direct observation how the organization
15 uses penitents' "confidential" auditing information. While
16 working in the Guardian's Office and L. Ron Hubbard's
17 Communications Bureau, I coded and decoded telexes which
18 contained such information gleaned from auditing files. The
19 information came from the Guardian's Office (or Intelligence
20 Bureau), and without the knowledge of the penitents. The
21 transmitted information dealt mainly with the penitents' sexual
22 activities, their family, drug use, criminal activity in their
23 past, "buttons" (things which could be used to exert control over
24 the penitents), and things for which the penitents could be
25 blackmailed. In 1980 and 1981 I learned from Guardian's Office
26 operatives that because of its social unacceptability and legal
27 problems they could no longer use auditing information directly.
28 Instead, they gleaned the information from auditing files then

1 sought out "third parties" or created "third parties" who could
2 provide the same information. Since the auditing reports
3 contained the time and place where incidents occurred, and who
4 was present or knew about the incident, this was relatively easy
5 to do. In 1980 I was asked by a GO operative to "verify"
6 information taken from the auditing files of Tonja Burden, a
7 young girl then considered an "enemy" of Scientology. The
8 operative knew details from Ms. Burden's "confidential" files and
9 related these to me to see if I could be the "third party" to
10 "provide" the information in a declaration or as a witness.

11 7. A number of times during my involvement with
12 Scientology I was ordered, either by Intelligence Bureau
13 personnel or Hubbard's personal agents, to cull usable
14 information from penitents' auditing files. The information
15 culled was written or typed into lists and kept by the GO or
16 Hubbard's agents separate from the auditing files. This was
17 standard practice with anyone who requested to leave or did leave
18 the organization or was considered in any way a "threat."
19 Undoubtedly it has already occurred with my "confidential" files.
20 The classes of information I was ordered to extract from auditing
21 reports were: anything concerning the penitents' sexual
22 activities, including time, place, form, event and names and
23 addresses of all sexual partners; any involvement with drugs,
24 including time, place, form, event and names of anyone else
25 involved; any criminal activities with complete details; anything
26 for which the penitents could be blackmailed; any information on
27 family members, friends, associates, connections. In short, the
28 information sought by the GO and Hubbard's personal agents was

1 intelligence data exactly like that sought and used by the KGB or
2 the Gestapo.

3 8. Only in 1982, after leaving Hubbard's personal staff
4 and the Sea Organization did I find that the practices regarding
5 the use of "confidential" auditing files for intelligence
6 purposes existed as written policy long before I joined the Sea
7 Organization. In a Guardian's Order dated December 16, 1969,
8 entitled PROGRAMME: INTELLIGENCE: INTERNAL SECURITY, Mary Sue
9 Hubbard, then directly responsible to L. Ron Hubbard, wrote:

10 "VITAL TARGETS:

11 1. This Programme is to be done by the Asst.
12 Guardian or the D/A/Guardian for Intelligence,
13 if this post is held separately.

14 2. To establish intelligence files on all
15 such persons found to be infiltrators, double
16 agents, and disaffected staff members, Scien-
17 tologists and relatives of Scientologists.

18 OPERATING TARGETS:

19 1. To make full use of all files on the
20 organization to effect your major target.
21 These include personnel files, Ethics files,
22 Dead files, Central files, training files,
23 processing files and requests for refunds.

24 2. To assemble full data by investigation of
25 each person located for possible use in case
26 of attack or for use in preventing any attack
27 and to keep files of such." (GO 121689 MSH,
28 attached hereto as Attachment 1.)

1 If I had known of this policy and practice in 1969 I would never
2 have become involved with Scientology.

3 9. The public statement by Hubbard and the Scientology
4 organizations is that the purpose of auditing is to free
5 individuals. Yet the real use to which auditing is put is to
6 entrap and control individuals. Many of the people in
7 Scientology are Hubbard's unwitting dupes; they believe that, to
8 some degree at least, their participation in the covert and
9 illegal use of confidential auditing files has something to do
10 with freeing individuals. Hubbard's personal writings during
11 the period of his creation of Dianetics and Scientology, however,
12 reveal a completely different and very non-altruistic motivation.
13 In these writings, now under seal in the Court, Hubbard wrote
14 that he would control this sector of the Universe, that all men
15 will bow down to his will, and that he has the right to use
16 men's minds. There are approximately two hundred pages of such
17 writings presently under seal. These reveal Hubbard's intent to
18 control people, his utter disregard for individuals' rights and
19 his meglomania. The illegal use to which he and his organization
20 have put and do put penitents' statements, made in confidence,
21 fit with the pattern of Hubbard's life and his mental state as
22 shown in the sealed documents.

23 10. Hubbard's and Scientology's attorneys are knowing or
24 unknowing participants in the illegal use of "confidential"
25 penitents' files. Plaintiff's attorney, Karl Kohlweck, in
26 refusing to produce my "ethics" file stated:

27 ". . . 'ethics' files of parishioners of the
28 Church of Scientology contain information

1 derived from confidential communications
2 between the parishioners and ministers of the
3 Church. Plaintiff Church of Scientology of
4 California asserts the priest-penitent
5 privilege with respect to the contents of such
6 files." (Response to Defendant's First Request
7 for Production of Documents attached hereto as
8 Attachment 2.)

9 Besides being ludicrous--the "Church" asserting the privilege for
10 the penitent when the penitent himself is requesting the files--
11 it is a clear example of obstruction of justice and abuse of the
12 justice system. In my deposition of August 18, 1982, Mr.
13 Kohlweck asked a series of questions which began:

14 "Q Mr. Armstrong, isn't it a fact that
15 during December of 1977 there was dispatch
16 concerning you, that you were approved for
17 duty at the S. U. or Special Unit, provided you
18 were not ever to be on C.M.O. or Commodore
19 Staff Guardian lines nor at any time on G.O.
20 lines, Guardian's Office lines, or any
21 position senior to Messenger? Are you aware
22 of such a dispatch?" (Deposition of Gerald
23 Armstrong taken August 18, 1982, p.208,
24 attached hereto as Attachment 3.)

25 The "dispatch" Mr. Kohlweck appears to know in such detail I know
26 to be from my "ethics" file. From not only this instance, but
27 from a very long experience with Scientology, it is clear to me
28 that the priest-penitent privilege means nothing to Hubbard or

1 the Scientologists he controls, other than as a vehicle to
2 prevent the penitent from exerting his privilege, and at the same
3 time selectively using the information from the files not
4 relinquished to the penitent because they are "privileged." It
5 is the penitent's privilege; it most certainly is not the
6 organization's. It is just this sort of convoluted perversion of
7 the law and the individual's rights which has been Hubbard's
8 modus operandi for more than thirty years.

9 11. My attorney has written CSC, requesting delivery to me
10 of my "auditing" files and "ethics" files. The organization has
11 not even responded, yet they have claimed these files are
12 protected by the priest-penitent privilege.

13 Evidence Code Section 1033 states:

14 Privilege of Penitent: "Subject to Section 912, a
15 penitent, whether or not a party, has a privilege
16 to refuse to disclose, and to prevent another from
17 disclosing, a penitential communication if he
18 claims the privilege."

19 Section 912 deals with waiver of privilege.

20 I do not waive the privilege, and in fact insist upon it. The
21 only way I can exert the privilege and prevent CSC or Hubbard
22 from disclosing my "penitential communications" is to have the
23 "auditing" and "ethics" files, and all copies delivered to me.

24 Yet CSC and Hubbard refuse, claiming "priest-penitent" privilege,
25 which is my privilege, not theirs.

26 12. Hubbard has set the organization's policy regarding
27 lawsuits:

28 "The law can be used very easily to harass,

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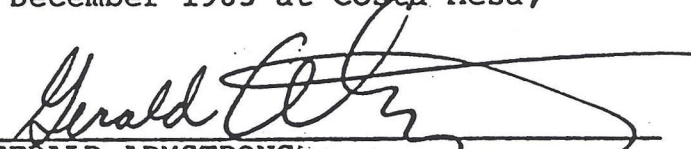
and enough harassment on somebody who is simply on the thin edge anyway, well knowing that he is not authorized, will generally be sufficient to cause his professional decease. If possible, of course, ruin him utterly."

(Level "0" Checksheet by L. Ron Hubbard, attached hereto as Attachment 4.)

It is very clear that the refusal to deliver to me my "auditing" and "ethics" files, which have no possible legal use to Hubbard or the organization, is simply harassment. Hubbard's directed harassment of me has put me "on the thin edge" as he intended. I am deeply disturbed by the abuses and harassment by Hubbard and the people he controls and their desire to ruin me utterly.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of December 1983 at Costa Mesa, California.


GERALD ARMSTRONG

DECLARATION OF FRANK K. FLINN

1. I, Frank K. Flinn, reside at 7472 Cornell, St. Louis, Missouri 63130.

2. I am currently self-employed as a writer, editor, lecturer and consultant in the fields of theology and religion. I am also a Senior Religion Editor at the Edwin Mellen Press of Toronto and New York.

3. I hold a Bachelor of Arts degree in Philosophy (1962) from Quincy College, Quincy, Illinois; a Bachelor of Divinity degree (1966), magna cum laude, from Harvard Divinity School, Cambridge, Massachusetts; and a Ph.D. in Special Religious Studies (1981) from the University of St. Michael's College, Toronto School of Theology, Toronto, Ontario, Canada. I have also done advanced study at Harvard University, the University of Pennsylvania, and the University of Heidelberg, Germany. At the University of Heidelberg, I was a Fulbright Fellow, 1966-67. At the University of Pennsylvania, I was a National Defense Foreign Language Fellow, Title VI, 1968-69.

4. Since 1962, I have devoted intense study to religious sectarian movements, ancient and modern. A portion of my doctoral studies was focussed specifically on the rise of new religious movements in the United States and abroad since World War II. That study included the investigation of new religions in terms of their belief systems, lifestyles, use of religious language, leadership, motivation and sincerity, and the material conditions of their existence.

5. Prior to my present position, I taught at Maryville College, St. Louis, Missouri, 1980-81; St. Louis University, St. Louis, Missouri, 1977-79, where I was Graduate Director of the Masters Program in Religion and Education; the University of Toronto, Ontario, 1976-77, where I was Tutor in Comparative Religion; St. John's College, Santa Fe, New Mexico, 1970-75, where I was Tutor in the Great Books Program; LaSalle College, Philadelphia, Pennsylvania, Summers 1969-73, where I was Lecturer in Biblical Studies and the Anthropology of Religion; Boston College, Boston, Massachusetts, 1967-68, where I was Lecturer in Biblical Studies; and Newton College of the Sacred Heart, Newton, Massachusetts, where I was Lecturer in Biblical Studies.

6. I am a member in good standing of the American Academy of Religion, the Religious Education Association, the College Theology Society, the Council on Religion and Law, and am an associate member of the Christian Legal Society. I am a practicing Roman Catholic at All Saints Parish, University City, Missouri.

7. Since 1968, I have lectured and written about various new religious movements which have arisen in the 19th and 20th centuries in the United States. In my lecture courses "Anthropology of Religion" (LaSalle College), "Comparative Religion" (University of Toronto) and "The American Religious Experience" (St. Louis University), I have dealt with such religious movements as the Great Awakening, Shakerism, Mormonism, Seventh Day Adventism, Jehovah's Witnesses, New Harmony, Oneida, Brook Farm, Unification, Scientology, etc. I have published several articles and been general editor of books on the topic of new religions. It is my policy not to testify about

a living religious group unless I have long-term, first-hand knowledge of that group. I have been invited to testify on various aspects of the new religions before the U.S. Congress, the Ohio legislature, the Illinois legislature, and the Kansas legislature. I have delivered lectures on the topic of the new religious movements at colleges and universities in the United States, Canada and Europe.

8. I have studied the Church of Scientology in depth since 1976. I have sufficiently sampled the vast literature of Scientology (its scriptures) to form the opinions expressed below. I have visited Scientology Churches in Toronto, Ontario, St. Louis, Missouri, Portland, Oregon, Clearwater, Florida, Los Angeles, and Paris, France, where I familiarized myself with the day-to-day operations of the Church. I have also conducted numerous interviews (spiritual biographies) of members of the Church of Scientology. I am also familiar with most of the literature written about Scientology, ranging from objective scholarship to journalistic accounts, both favorable and unfavorable.

9. The question has arisen in the minds of some as to whether Scientology is a religion. As a comparative scholar of religions, I maintain that for a movement to be a religion and for a group to constitute a church, it needs to manifest three characteristics, or marks, which are discernible in religions around the world. Below, I define these three characteristics.

(a) First, a religion must possess a system of beliefs or doctrines which relate the believers to the ultimate meaning of life (God, the Supreme Being, the Inner Light, the Infinite, etc.).

(b) Secondly, the system of beliefs must issue into religious practices which can be divided into 1) norms for behavior (positive commands and negative prohibitions or taboos) and 2) rites and ceremonies (sacraments, initiations, ordinations, sermons, prayers, services for funerals and marriages, etc.).

(b) Thirdly, the system of beliefs and practices must unite a body of believers so as to constitute an identifiable community which is either hierarchical or congregational in polity and which possesses a spiritual way of life in harmony which the ultimate meaning of life as perceived by the believers.

Not all religions will emphasize each of these characteristics to the same degree, but all will possess them in a perceptible way.

10. On the basis of these three criteria and of my research into the Church of Scientology, I can state without hesitation that the Church of Scientology constitutes a bona fide religion. It possesses all the marks of religion known around the world: (1) a well-defined belief system, (2) which issues into religious practices (positive and negative norms for behavior and religious rites and ceremonies), and (3) which sustain the body of believers in an identifiable religious community. In terms of their belief system, Scientologists believe that mankind is basically good, that the spirit can be saved, and that the healing of both physical and spiritual ills proceeds from the spirit, which they define as "thetan." According to Scientology belief, "thetan" is immortal and has assumed various bodies in "past lives." This doctrine has many affinities with the Buddhist belief in samsara or the transmigration of the soul. Belief in the Supreme Being is expressed in terms of the "Eighth Dynamic" which is equivalent to God or Infinity. The Creed of Scientology can be compared to the classic Catholic creed of Nicaea, the Lutheran Augsburg Confession and the Presbyterian Westminster Confession.

11. In terms of religious practices, Scientology has many ceremonial religious forms which can be found in traditional religious groups, such as initiation or baptism (which is called "naming" in Scientology), marriage, funerals, etc. However, the central religious practice of Scientology is auditing, which is comparable to the confession of sins and spiritual guidance among traditional religious groups. Scientologists make a distinction between reactive or passive mind and analytical or active mind. The reactive mind records what adherents call "engrams," which are like spiritual traces of pain, injury, or impact. The reactive mind is believed to retain engrams that go back to the fetal state and reach further back to past lives. The notion of engram is functionally equivalent to the notion of sin in Judaism and Christianity and bears close resemblance to the Buddhist doctrine of "threads of entanglement" which have held over from previous incarnations and which impede the attainment of enlightenment. Scientologists believe that unless one is freed from these engrams through the activation of analytical mind, one's survival ability, happiness, intelligence and spiritual well-being will be severely impaired. It is on this basis that adherents are motivated to go through the many stages of auditing. A beginner in the auditing process is called a "preclear" and one who has successfully discovered and erased all traces of past engrams is called a "clear." This distinction between preclear and clear may be compared to the traditional Christian distinction between sin and grace, as well as the Buddhist distinction between entanglement and enlightenment. Adherents who are at higher auditing levels are considered as striving to become "operating thetans" so that they may be at cause over matter, energy, space

and time. While not opposed to consulting physicians for physical ailments, Scientologists have a firm taboo against the use of psychotropic drugs for the mental and spiritual healing of the soul. The bulk of Scientology ministerial practice is devoted to auditing, to courses for the training of auditors, who are like spiritual counsellors, and to achieving the many levels of spiritual enlightenment through the auditing process. These many levels of auditing and spiritual enlightenment are remarkably like the levels of religious and spiritual enlightenment in the noted Christian treatises, Journey of the Mind into God by St. Bonaventure, and the Spiritual Exercises by St. Ignatius of Loyola.

12. As with every known religion, Scientology has a communal life and ecclesiastical organization which serves to preserve and to propagate the belief system and to foster the religious practices. In ecclesiastical structure Scientology is hierarchical rather than congregational. Congregational religions exercise authority horizontally by locally electing ministers of churches, voting on reformulations of belief systems and religious practices, as well as church polity. Many Protestant denominations in the United States are congregational in polity. Hierarchical religions, on the other hand, exercise authority by appointment from the top down, either from a central religious figure such as the Pope in Roman Catholicism, the Dalai Lama in Tibetan Buddhism, and the Archbishop of Canterbury in Anglicanism, or from a central executive body, such as a synod of bishops or council of elders. Some religious groups such as the Missouri Synod Lutheran Church have a combination of congregational and hierarchical polities. In hierarchical religions, the church leaders are invested with the power to

interpret doctrine, modify religious practices and formulate polity. My study of the Church of Scientology showed me that it followed the traditional hierarchical type of church polity.

13. In the course of time certain religious and ecclesiastical practices of the Church of Scientology have come under criticism by outsiders and disaffected members. Those criticisms can be enumerated under four topics: (a) the "disconnection" of Church members from their natal families; (b) the information gathering practices of the Church; (c) the disciplinary practices associated with the Rehabilitation Project Force (RPF); and (d) the use and confidentiality of the Pre-Clear files (contained in what are known as PC folders) of upper level members of the Church.

Below I will discuss these issues one by one. But, first, some general remarks are in order. As noted above, religions are constituted not simply by beliefs, however unintelligible to the non-believer, but also by acts and practices (ethical norms and rites), both of which serve to shape a way of life for a community of believers. In general, a great amount of attention has been given to the varieties of belief among the religions of the world, while religious acts have been subordinated to illuminating those beliefs. Most definitions of religion focus on the belief system to the detriment of the religious practices and community. Hence, the attention given to religious acts has tended to be either minimal or slanted. When religious acts are noticed, that attention has frequently been prurient, that is, religious rites elicit interest only in so far as they are odd, bizarre or quaint. Both beliefs and religious acts, however, are like two gears which

make the transmission (the way of life) of a community of believer go around. All three—beliefs, acts, and way of life—need to be looked at both separately and in conjunction.

(a) Many critics of the new religious movements, in general, and of Scientology, in particular, have claimed that converts have been deliberately induced to alienate themselves from their families and to devote themselves heart, mind and soul to their new-found religion. This claim and the tension between an older generation and new converts are neither a simple nor a new phenomenon.

I will address the complexity of the issue first. Here we are dealing, first, with a matter of media bias. Scholars of new religious movements have noted that newspaper, television and radio coverage of religion-related events keep pertinent information about mainline religions in the background while underlining that about the new ones. If, for example, two men, one an Episcopalian and the other a Jehovah's Witness are arrested for murder, the news headline about the Episcopalian will read "Man Kills Wife," while the one about the Jehovah's Witness will read "Jehovah's Witness Slays Mate."

Secondly, the media often lump all new religious movements together such that the practices of one are attributed to another which has completely different practices. Media coverage of innovative religious movements frequently fall into the age-old trap of the sweeping generalization: "If you have seen one, you have seen them all." Immediately after the Jonestown massacre—indeed a lamentable tragedy—the media started carrying articles about "suicide pacts" and "suicide drills" in other "cults" and ceased so

doing only when the evidence proved absent. So, too, alienation of new converts from parents and other relatives, while true about some new religious movements under some circumstances, quickly became attributed to all. My study of the new religious movements showed that "disconnection" between members and their relatives occurred the least among Scientologists.

Thirdly, my interviews with new converts of several new religions showed that friction between the young adult member and his or her parents—an often enough occurrence throughout American culture—often preceded the membership. Thus conversion to a religion, whether old or new, becomes the occasion but not the primary cause of the surfacing of long-standing family conflicts.

My studies show that contact with parents and others by members of new religions was nearly normal, even when the parents disapproved of membership in the new religion, until "deprogramming" became common. Because the new religions could not predict whether or not their members would be abducted when meetings were sought on the part of relatives, they naturally became guarded. Even on this score, Scientology was an exception for few of them were in fact "deprogrammed" at the instigation of their parents or other relatives.

Keeping in mind the complex factors sketched above, I can note that friction, tension, alienation, lack of communication between members of new religious movements and their parents is no more nor less than the same rifts that take place in every family known to me. Nor, in fact, are these rifts anything new in the history of religion. In his quest for spiritual

enlightenment Gautama Buddha, born a Hindu prince, not only abandoned his parents, much to their dismay, but also his wife and children. Moses, reacting to the bondage of Israelite slaves under Egyptian domination, slew one of their persecutors and fled the comforts of the Egyptian court to encounter God in the desert of Midian. In the Middle Ages, both Thomas Aquinas, offspring of Neapolitan nobility, and Francis of Assisi, son of a wealthy Umbrian merchant, abandoned as youths their lives of ease and privilege, joined the urban youth movement of known as the Mendicants (Latin for "beggars"), and took vows of absolute poverty, chastity and obedience. Both Thomas and Francis were kidnapped and imprisoned by their parents and relatives who, to no avail, used methods remarkably like those used by modern "deprogrammers" in order to get them to abandon their ways. St. Thomas received the title "Angelic Doctor" by the Catholic Church because he resisted the blandishments of a prostitute employed by his brothers to get him to break his vow of chastity. Orthodox churchmen labelled members of the new mendicant orders, known today as Dominicans, Franciscans and Augustinians, as "dementes" (Latin for "insane") and "filii diaboli" ("sons of the devil"). St. Thomas even wrote the first anti-deprogramming treatise, entitled "Contra pestiferam doctrinam retrahentium homines a religionis ingressu" ("Against the Pernicious Doctrine of Those Dragging Youth Away from Entering Religious Life").

Martin Luther instigated a lifelong alienation with his father, who wanted him to become a lawyer with a lucrative income, by joining the Augustinian order. In turn, Luther created a rift within Christendom itself by attacking the practice of indulgences and holding to the doctrine of

justification by faith alone. Similar rifts and alienations have occurred in American religious history, especially in the events surrounding the Great Awakening, which American historians recognize as a primary source for the rise of the democratic sentiment in America and the principle of freedom in religious conscience and practice. The Great Awakening was the beginning of revivalism in America, a religious tradition still espoused by many, most notably the Rev. Dr. Billy Graham. As noted by Jonathan Edwards in his "Faithful Narrative" (1737), the New England revival of religion began among the youth. This resurgence of piety among the young stirred such staid Harvard divines as Charles Chauncey to score the revivalists for "a certain wildness...discernible in their general look and air." Today deprogrammers attempt to convince parents that their offspring, often well educated and legally of majority age, display "glazed eyes" or have been "zapped" into being "zombies" by the single glance of a guru's eyes. The religions have changed but the charge remains the same.

In past and present religious history alienation from family and kin has been not only an unintended, and seemingly unavoidable, byproduct of the conflict between the old and the new but also a fundamental tenet of religious practice. Thus the monks and hermits of the third century onwards practiced "withdrawal from the world" because the world and its ways were believed to be "corrupt" and "under the dominion of the Prince of Darkness." The eremites of Asia Minor not only withdrew from the world but also their fellow monks, living alone in prayerful solitude in caves still to be seen in present-day Turkey. Members of contemplative orders, both in the West and the Far East, enter monasteries where rules of silence and solitude are so great

that phone communication and letters to and from relatives are prohibited or restricted to a few feast days. As a member of the Franciscan order from 1958-64, I was allowed no phone communication with my relatives for the entire year of my novitiate, was not allowed to attend my grandfather's funeral, and received only one letter a month, which was subject to inspection by the master of novices.

The "disconnection" between parents and adult offspring in the new religions appears to be part and parcel of the immemorial conflict between the old and the new. Though the conflict may be immemorial, it is not immutable. My acquaintance with enduring members of the new religions, including Scientologists, suggests that over time familial rifts and disagreements become healed, especially as the member assumes positions of responsibility, gets further higher education, or marries and has children.

(b) The information gathering efforts of the Church of Scientology have stirred not a little controversy. I have heard it described as an "intelligence service" on the order of the Central Intelligence Agency and other governmental agencies. Though I in no way condone the violation of the lawful administration of government and the civil rights of others in the gathering and use of information, this aspect of the Church of Scientology deserves to be put in perspective.

First, scholars in many fields have noted that we live in an "information culture" of centralized data banks, computerized credit records, and electronic networking, etc. Just as early Christianity participated in the general culture of the Greco-Roman mystery religions with which it shared

such initiation rituals as baptism, so the new religions of our time share in the informational "networking" culture of the late twentieth century. The speed with which information of all kinds travels among the new religions has continually amazed me, but the same amazement holds for the general business culture.

Secondly, Scientology is not alone among religions in having "intelligence" gathering services. It is well known that the Swiss Guards, formerly the mercenary protectors of such European monarchs as Louis XIV and now the protectors of the Pope of Rome, have intelligence units which gather and share information with other national intelligence agencies for the protection of the Pope and the benefit of the Vatican State. Furthermore, most religions—among whom I can name Greek Orthodoxy, Lutheranism, Presbyterianism, Episcopalianism, and Mormonism—have ecclesiastical tribunals, courts and councils of elders for maintaining purity of doctrine and practices. These ecclesiastical offices have information gathering powers for trying cases of heresy and church crimes such as sacrilege, annulling marriages, dispensing communicants from ecclesiastical impediments, compiling confidential dossiers on candidates to high ecclesiastical office, supervising seminaries, divinity schools and other institutions under ecclesiastical supervision.

Thirdly, while there has no doubt been some intrusion into government administration on the part of the new religions, their information gathering powers are dwarfed by those of modern states. The legislative, executive and judicial branches of government in the 1970's weighed heavily upon the new

religious movements. Witness the number of bills both in Congress and in State legislatures which espoused investigations into the "cults," denial of charitable status, conservatorships for deconverting adherents, and penalties for fraudulent belief. Local judiciaries have issued conservatorships on scanty evidence. Agencies of the executive such as the Immigration and Naturalization Service, the Internal Revenue Service, the Food and Drug Administration have been called upon to examine, scrutinize and issue reports about the internal practices of the new religions in a way that would arouse national furor if used against mainline religions. The response on the part of some new religions—among whom I would include the Church of Scientology—has been a sense of persecution and sometimes an aggressive pursuit of such laws as the Freedom of Information Act. In such a charged atmosphere neither religion nor state can flourish in their proper spheres. As the relation between the new religions and the state gets clarified and rectified by the higher courts, my expectation is that these skirmishes will diminish on both sides and both will be wiser and less wary of one another. Only then will religion and state be less inclined to view one another as conspiratorial enemies, which, unfortunately is the present perception on both sides.

(c) Another area for which the Church of Scientology is faulted is the manner with which it seemingly controls the daily life of its members, in general, and the apparently harsh discipline imposed upon Sea Org members in the Rehabilitation Project Force (RPF), in particular. In Scientology the Sea Org(anization) is composed of highly dedicated members who take vows of eternal service and live a life in community. The RPF discipline is used

when Sea Org members find themselves "non productive" or, in Scientology terminology, "stat crashers." In these situations, members are put on a definite schedule, spend several hours a day studying Scientology Technology, and have co-auditing sessions to achieve what believers call "release" and "full cleanup." Members do physical labor, but also get lots of healthy food and lots of rest.

Critics of the new religions charge that this kind of discipline constitutes "mind" and "milieu control" of the sort used by the Chinese Communists to enforce political re-indoctrination after the Communist takeover in 1949. The aim and goal of the RPF however is entirely different than that of the Communists in China. The Communists wanted to guarantee political uniformity, whereas the Scientologist wants spiritual "release" and "enlightenment" as "an immortal thetan." Secondly, Chinese peasants were forced into the re-indoctrination programs, whereas the Scientologists freely participates in the RPF program as a consequence of his or her vows of eternal service. Thus the proper comparison is not to political but to spiritual disciplines, which are present in every religion known to me and which I have undergone myself.

When a young adult enters a contemplative order such as the Trappists or Carmelites, that person takes vows of poverty, chastity and obedience to superiors. The novice, or new member, cuts all ties with family and worldly concerns. Men receive the tonsure (shaving of the head) and women have their locks shorn to signify the renunciation of worldly vanity. In ceremonies, involving women entrants into religious orders that I have witnessed, the nun

enters the chapel wearing a bridal garment to symbolize that she is about to enter a spiritual marriage with Christ. The garments are then removed, her hair is shorn, and she is invested with the habit of the order, which is often made of plain wool.

Contemplatives, monks, mendicants and other religious societies not only take the three vows mentioned above, but also commit themselves to other religious practices such as long hours of meditation each day, periods of manual labor, midnight choir (the singing of Psalms), fasting during Lent and Advent, study of the rule of the order and other spiritual writings, and silence. As member of the Franciscan Order (which I left voluntarily and was free to do so), I myself freely submitted to the religious practice of flagellation on Fridays, striking the legs and back with a small whip to mortify the desires of the flesh and to commemorate the flagellation of Jesus Christ before his crucifixion. In the tradition of St. Benedict's dictum "ora et labora" (Latin for "pray and work"), I also spent several hours each day, with the exception of Sunday, doing physical labor, including woodworking, tending a garden, cleaning floors, washing laundry, peeling potatoes, etc. These tasks were assigned to me by my superiors, and because I took a vow of obedience, I did them. Furthermore, as a mendicant, I took a vow of absolute poverty such that I owned absolutely no material possessions, including the robe which I wore. When rules of the monastery are broken, monks and friars are regularly assigned menial tasks as penances. Compared with these Roman Catholic practices, the practices of the RPF are not only not bizarre but even mild.

The RPF program can also be compared to spiritual retreats conducted by many religions in order to restructure believers' lives, including their secular life, and to provide refreshment for the soul. The Jesuits, much like the Sea Org members, have a period of retreat and rededication which is called Tertianship after undergoing a period of temporary vows. During Tertianship the Jesuit practices the "Spiritual Exercises" of St. Ignatius of Loyola, founder of the Society of Jesus. After Tertianship a Jesuit takes a fourth vow of special obedience to the Pope, much as the Sea Org members take vows of "eternal service."

Just as the Sea Org members who go through the RPF discipline to obtain "release" and "full cleanup" for the sake of redemption or salvation, so religions around the world have practiced sometimes stringent disciplines in order to attain "samsara" (escape from the cycle of rebirth in Hinduism), "moksa" (Buddhism), "satori" (Zen), the "beatific vision" (Roman Catholicism, Greek Orthodoxy), or communication with heavenly beings such as angels or transcendent "Masters" such as the theosophic Master of St. Germain believed in by the I Am religious group. (Perhaps it is worth mentioning that the beliefs and practices of the I Amers were the subject of the famous Supreme Court case U.S. v. Ballard in 1944).

It is my opinion that the spiritual disciplines and practices, such as the Rehabilitation Project Force, of the Church of Scientology are not only not unusual or even strange but characteristic of religion itself when compared with religious practices known around the world. Contrary to the generally second-hand opinions of outsiders and to the claims of disaffected

members, whose motives are suspect, I would say that submission to such practices is not due to browbeating on the part of church leaders but follows as a natural consequence from a free religious commitment to a spiritual discipline in the first place.

(d) Another religious practice of the Church of Scientology which has come under scrutiny is the issue of the confidentiality exercised with respect to the auditing records of members and especially of the "pre-clear files" of upper-level church members. I find the practice of the Church of Scientology in this regard fully in keeping with the practices of other religions.

In general, there are two fundamental reasons why churches, including the Church of Scientology, seek confidentiality with regard to unauthorized examination of spiritual records. The first is to preserve the sanctity of the spiritual privacy of the believer. The second is to safeguard the integrity of a religion's innermost sacred doctrines.

In regard to the first reason, the spiritual privacy of the believer, Scientology is like every religion known to me. The Roman Catholic Church protects the priest-penitent relationship with the severest of sanctions, including dismissal from priestly office and expulsion from the Church itself. Upon ordination priests take an oath of the "confessional seal" before they are allowed to hear the confession of sins and administer official spiritual counselling. My pastor, a Monsignor in the Roman Catholic Church, has testified to me that he would undergo imprisonment and death before revealing the contents of any confession, whether this revelation was

demanding by the President of the United States or by the Pope of Rome. Furthermore, each Roman Catholic archdiocese possesses a sealed religious archive to which only the Bishop or Vicar General may grant access. Such archives include files on the spiritual lives and morals of the clergy and the religious orders, dispensations from impediments to the reception of the sacraments like marriage or ordination, judgments from ecclesiastical trials, unproven denunciations, episcopal admonitions and reprimands to believers. The strict regulations regarding the use of these archives are contained in what is known as the "Corpus Juris Canonici" or Code of Canon Law. Among such regulations are included rules for documented authorization of the use of the files, oaths of absolute secrecy, control over the amount of information to which a user may have access, limitations on historians researching deceased persons, etc. Abuse of the archive and unauthorized divulging of information can bring severe penalties, including demotion from office, penances and even excommunication.

Most Protestant denominations have similar regulations and penalties in their respective church polities. Likewise Scientology has codes of conduct for auditors and other officials regarding authorized files. The Church does not allow any outsider access to a parishioner's files as a matter of priest-penitent privilege, as is the case with other churches. Confidentiality of this type of material touches on the nerve center of religion itself. The historical record shows that no church lightly suffers the intrusion into such records by the government or any other outside agency. The history of the Reign of Terror in France reveals the great number of priests who went to the guillotine rather than break the

confessional seal.

The second reason, the safeguarding of a religion's innermost religious doctrine, is also a motive for preserving the confidentiality of ecclesiastical files and records. As an outside scholar, I naturally had no access to Scientology auditing files. My interviews with members, however, showed that during the auditing process, especially with regard to upper level members, matters calling for religious interpretation or appointment to higher church office often came up. The same kinds of questions come up in Roman Catholicism, Episcopalianism and the Orthodox Church when fundamental beliefs come into question or someone is a candidate for a bishopric or higher office and the files collected on the candidate are protected in the exactly same way.

Historically speaking, many past religions were led toward policies of confidentiality because public dissemination of personal spiritual information and more complicated religious doctrines led to abuse, outside ridicule of beliefs, theological disputes which spilled over into the secular arena and hostile misinterpretation. A religion's guarding of its personal ecclesiastical files and its innermost teachings is like a sacred patent, comparable to the secular practice of protecting industrial patents and processes on the part of business corporations. Failure to protect these sacred patents would violate each believer's trust and lead to the disintegration of the religion itself.

14. Throughout religious history many acts and practices of religious groups have elicited strong reaction from the surrounding society. Thus the

Romans saw the early Christian ceremonies as "superstition" and as occasions for plotting sedition. Luther scored the ceremonial pomp of the Roman Curia as "more corrupt than Babylon and Sodom." Many outsiders and even Catholics contemned Jesuit moral theology as "casuistry" with such great vehemence that the term "jesuitical" became synonymous with the terms casuistic and devious. To the westerner the Jain practice of "ahimsa"—not harming any form of life, even to the extent of wearing masks like those used in surgery lest a gnat be inadvertently killed—can seem downright ludicrous. The Amish practice of not wearing buttons or using tractors and electricity because they are showy and hinder the "plain life" enjoined by the Bible strike most Americans as unprogressive, at worst, and quaint, at best.

Many find the practices of Jewish Orthodoxy unusual and incomprehensible. Orthodox Jews follow strictly the laws of Deuteronomy and Leviticus. They do not mix milk with meat, weave linen with wool, sow wheat with barley or eat any animal which mixes the categories of creation sketched in the first chapter of the Book of Genesis as a matter of religious principle. All such mixings are deemed "unclean" and contrary to God's will in "separating" or "dividing" the orders of creation. To the Orthodox Jew these practices entail great inconveniences, such as keeping two completely separate sets of eating and cooking utensils. These food laws are not kept under compulsion but out of a desire to keep holy the ways of the Lord.

To the outsider, to sceptics and to agnostics, the religious practices I have discussed above might appear as nonsensical, primitive, devious, manipulative, or oppressive. But, just as belief is in the mind of the

believer, so religious practice issues from the body of the believer to give concrete evidence and assurance of release from sin, impurity or spiritual ignorance and to signify to all the hope of redemption, salvation or enlightenment.

Given this 14th day of July, 1985, in St. Louis, Missouri.


Frank K. Flinn, B.D., Ph.D.

State of Missouri)
) ss
County of St. Louis)

Sworn and subscribed before me this 14th day of July, 1985



Notary Public

My commission expires 2/27/87

1 JOHN G. PETERSON, ESQ.
2 PETERSON & BRYNAN
3 8530 Wilshire Boulevard, Suite 407
4 Beverly Hills, California 90211
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13 Los Angeles, California 90064
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15 Attorneys for Plaintiff and Cross-Defendant
16 Church of Scientology of California

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 FOR THE COUNTY OF LOS ANGELES

19 CHURCH OF SCIENTOLOGY OF)	CASE NO. C 420153
20 CALIFORNIA, a California)	
21 Corporation,)	DECLARATION OF REVEREND
)	KEN HODEN IN RESPONSE
22 Plaintiff,)	TO JULY 2, 1985
)	DISCOVERY ORDER
23 v.)	
)	
24 GERALD ARMSTRONG, et al.,)	
)	
25 Defendants.)	
)	
26)	
27)	
28)	
AND RELATED CROSS-ACTION)	

29 I, REVEREND KEN HODEN, declare as follows:

30 1. I am the President of the Church of Scientology of
31 Los Angeles. I have been a staff minister with the Church of
32 Scientology for the past 11 years and have received and
33 delivered thousands of hours of pastoral counselling
34 (auditing).

35 2. In its order of July 2, 1985, the Court refers to
36 "verbatim as well as sum and substance type recitals" from

1 the preclear folders. "Verbatim" and "sum and substance type
2 recitals" are not part of the auditing process and do not
3 appear in any of the internal Church scriptures specifying
4 what an auditor writes down in session. The Court specifies
5 material to be turned over including "name of interviewer."
6 An auditing session is not an "interview" and to refer to it
7 as such is a blatant degradation of this religious practice.

8 3. Materials and information stored or recorded within
9 the confessional folders (PC folders) are confidential and
10 privileged. Our religious doctrine prohibits any parishioner
11 or person receiving pastoral counselling (auditing) from
12 viewing the contents of their folders. Our religious
13 doctrines also prohibit any external dissemination of
14 preclear folders. Even our attorneys are forbidden to review
15 these folders. The only people who are allowed to view the
16 pastoral counselling folders are authorized Church ministers.

17 4. I myself have 24 confessional folders (PC Folders),
18 each one containing some 300 pages, and I have never seen
19 the contents of these folders, and I am the President of the
20 Church.

21 5. The Court refers to GO 121669 for justification in
22 saying that the clergymen-penitent does not apply for the
23 time period during which Armstrong was a member of the Church.
24 The Court refers to GO 121669 for justification for
25 abolishing the clergymen-penitent privilege. Yet nowhere does
26 the program call for a) external dissemination of the
27 preclear folder or b) use of information against anyone.

28 6. To cause preclear folders or preclear folder

1 information to be released from the care and control of
2 authorized Church ministers is to cause the destruction of
3 its parishioners' religious freedom and would be a severe
4 violation of Church ecclesiastical policies.

5 Executed this 29th day of July, 1985, in Los Angeles,
6 California.

7 I declare under penalty of perjury that the foregoing is
8 true and correct.

9 
10 REVEREND KEN HODEN

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- 15 July 79 Write up of his connection with blown staff Manny Francis. Said he kissed her a few times, encouraged her to handle her 2D problems with husband Tom Francis. When it appeared she was adamant on divorce he took her to Tijuana
- 12 Aug 79 Gerry is promoted to Ensign(prov) by order signed by LRH. Flag Conditions order 3677
- 30 Aug 79 Shelly, R Services Chief writes Gerry has not handled Brenda Black yet. Everytime she is sent to get something she spends a long time finding it. Maybe someone else should be put in charge of LRH's gear.
- 6 Sept 79 Signs a security pledge not to reveal anything about the Church's confidential actions in Calif or any other part of the world.
- 28 Sept 79 Norm Starkey writes a report that Gerry has been a good worker and always put duty first, and could be trusted.
- 29 Sept 79 Gerry writes to Dir I & R and says he doesn't want to be on any justice actions for a while as he has too much work & his seniors are away, and the one he just finished caused him to lose too much sleep- making driving dangerous.
- 20 Oct Gerry is the chairman on a comm ev on Becky Pook.
- 3 Nov 79 Commendation from Jon Horwich for handling some R Renos cycles/
- 7 Nov 79 Compliance report to LRH to order dated 24 Sept 79- to work out a solution so the wet areas outside the house don't get tracked in on the carpets. He did the cycle- getting indoor and outdoor carpet mats.
- 6 Dec 79 Gerry requests a chit from Anne Taskett be withdrawn. Says he gave incomplete data to his seniors and upset s were caused as a result. (Ann says this)
- Jan 80 Gerry blew from the purif- no comm to the C/S at all.

1980

GERRY ARMSTRONG'S NAME IS ON A LIST OF PEOPLE WHOSE PARENTS HAVE GIVEN SCIENTOLOGY A HARD TIME.

- Feb 18 80 Report(Commendation chit)O From Dawn Praeger to Laurel states Gerry did a lot of research into DIVE BOMBER. Was thanking Laurel for her help at a SEF event. Chit same date on Gerry (Commendation) states he did a lot of work researching LRH's role in the film- Dive Bomber.
- 7 Apr 80 Gerry got off an ov in session that he had an out 2D with Liz Lee.
- 9 Apr 80 Does lowers on first dynamic(Doubt) on up.
- 8 Apr 80 Report from Laurel Sullivan- says he did documentation on the purif- very thorough- is back on the biographical material, that in some cases he does what he wants to - regardless of orders. He is now auditing on OT I & II- which is his first case progress in a long time. He shouldn't get along with Shirley but this got sorted out when Laurel threatened to throw them both out in the hall.

GERRY ARMSTRONG PROJECT

17 Feb 82

Project information: Gerry Armstrong is a blown SO Member who had access to a lot of sensitive information; he is now disaffected, from what we can see. He is hiding out apparently. He knows the GO has been looking into him, so he has been laying low to avoid this. So we don't know where he is currently and he is expecting us to approach him on a covert line. So this presents the trickiest of problems. It would undoubtedly antagonize him further if any of our investigation efforts became known to him. ~~Yet we still need to know what he's up to.~~

Project purpose: To obtain a means of predicting Armstrong's activity in such a way that there is no possibility of backflash.

Step 1) The first thing we need to do is to locate him. Those few people who know where he is probably are on the look out for GO inquiries. However, he is going to have to get a job soon to earn a living, by law he must notify the DMV when he moves - he might do this, and there are other things like that which can be checked and which may give us his location once he starts operating in the wog world again. These can be checked once we get his birthday and social security number. These should be available from his personnel records and his treasury records. So the steps would be:

(a) Telex Flag and SU to locate his personnel file and to get his ss number from payroll records.

(b) Use this data to check DMV, the post office, or any other source to locate him in a way that he would not be aware of it.

Step 2) Go through his files and folders to extract the names of people who knew him and who are still well connected up and completely trustworthy. Interview these people to find out who Gerry's close friends were and to see if he had any relatives in this area (we could then follow up to see if he might be staying with them).

Step 3) Determine which locations would be likely places that Gerry might be staying, assuming that he would be staying with friends or relatives. Check these out, either by physical surveillance or other means, to determine if he's there.

Step 4) Note that Gerry had tried to get OVG to hire him as a researcher after he blew. It could be that he gave a PT address to OVG. This should be checked out by going through the proper people who have a line to OVG to see if this can be done or if he has it.

Step 5) Conditional: If GA has not been located at this point by doing the above steps, then review what has been done and work out further actions that could be done to locate him.

Step 6) Once he is located, determine where he is currently working. This may entail following him to see where he works.

Step 7) Once it is established where he works, see what opportunities might exist there for setting up an inquiry line from an apparent "wog" angle. He might not be expecting that at all.

Step 8) Review his files for people who had a good comline with him and who are no longer on staff, and who would be trustworthy.

Step 9) Once the list of candidates has been selected from step 8 above, do a complete check on these people (discreetly) to see what their current status, demeanor, attitude, etc., are as regards their potential willingness to help us on this cycle.

Step 10) Using standard and discreet recruitment tech, interview the trustworthy candidates to see if they can be used as a resource.

- more -

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Step 11) Arrange a suitable cover story and other standard procedures, such as a plausible reason for the resource to be contacting GA, etc.

Step 12) Initiate the commline and procede from there, on that line.

Step 13) Have a PT investigation done on Scott Brown in Phoenix, Arizona. He was running a squirrel group there and may have some sort of group going that could be entered by a public person. This needs to be checked out either via LV GO, or simply by sending a GLA resource to Phoenix for a day or two.

Step 14) Conditional: If it looks like an entrance point can be arranged through Scott Brown in Phoenix, this will have to be separately targetted out and persuaded. Perhaps we could get someone connected up to him in Phoenix who then moves to LA and connects up with the Brown family or Gerry here. That might be sufficiently subtle; GA might not suspect someone from Phoenix as he knows we don't have a GO there.

Step 15) Persue the potential existing line that might be available to us via a trusted GAS who is a writer and who is respected by Gerry. This would require some reach from Gerry, though, as he might be suspicious if this GAS made a big reach for him.

Step 16) If the product has not been achieved at this point, review the steps taken so far and debug or replan as needed.

End.

PAC Mgmt Chief US
cc: AG GLA

(LGE)
cc: PES USGO
cc: DG I US
cc: Org P&E Info US

DAILY REPORT

AG I GLA

22 Feb 82

Dear Roberta,

RE: GERRY ARMSTRONG

Today we telexed SU via DG I US to get Gerry's birthday and social security number from his payroll records. That will enable us to check other areas in the wog world to see if he can be located.

We also verified that his wife's parents were last known to be living in Phoenix. That means that with his parents in Vancouver and hers in Phoenix, that will make it harder to verify our theory that they would be staying with one of their parents' houses.

Also today, Debbie liased with DG I US to see how we can check with OVG to see if he knows anything about Gerry's whereabouts.

It has become obvious to us that there is a lot of omitted data on Gerry - that even though SU and Flag have sent us all their files on him, there still seems to be a lot missing. So tomorrow we will go through all his files to look for indicators as to where more files might be, and also to see who might be able to give us any information about him or any misdeeds he may have committed while on staff.

That's all. This is OK.

ML,

Brad

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G.

5-7-85

DECLARATION OF GERALD ARMSTRONG

I, GERALD ARMSTRONG, declare:

(1) In the case of Julie Christofferson-Titchbourne v. Church of Scientology of California, et al., Multnomah County, Oregon, Circuit Court No. 7704-05184, currently being tried in Portland, Oregon, defendant organization was ordered to produce my B-1 files. B-1 is Bureau One, the Intelligence Bureau of the Guardian's Office.

(2) Although the names B-1 and Guardian's Office have been changed, the same intelligence functions are still performed by Scientology connected organizations. I was present in court during the Christofferson trial, when Howard Gutfeld, a Scientology representative, testified that B-1, intelligence files and private investigator reports are now maintained in the Office of Special Affairs, a branch of Scientology.

(3) Defendant organization in Christofferson produced approximately five inches of materials from my B-1 files. Many of the intelligence reports or operations programs referenced in the B-1 materials produced, have been deleted by defendant organization. Nevertheless, the materials which were produced are completely relevant in the instant case. The materials produced are all internal Scientology correspondence or programs, and there is no correspondence to or from attorneys.

H.

(4) There are numerous references to my preclear (pc) files in the produced B-1 materials, and there are entries in the B-1 time track, the chronology that forms part of the B-1 materials, which show unequivocally that Scientology intelligence personnel had my pc files after I left the organization, and excerpted data for intelligence use. One such entry uses the words "in session" as source of an account of a sexual encounter I had with a woman. "In session" means that the information came from the auditor's reports in an "auditing session."

(5) My pc folders were used as well in the operation by Scientology/Hubbard against me which resulted in the illegal videotaping of me in a series of conversations with individuals who represented to me that they sought to reform the organization and correct its abuses. There are statements on the videotapes which substantiate the fact that my pc folders were used as a lure to entrap me.

(6) Just after the trial in the defense part of the instant case and just prior to my going to London, England to testify in a child custody case, I received a call from someone whom I later confirmed was "Joey," the intelligence operative videotaped along with me in the November 7 and 9, 1984 meetings. In the telephone call, Joey said that my pc folders were being moved and I would be able to get them if I wanted. He said that my folders would be in a certain place the next night where I would be able to pick them up.

I asked him if it could be at all construed that I would be accepting stolen property and he said he didn't know. For that reason and because I was leaving for London, I declined Joey's offer. This phone call is discussed in the November 7, 1984 videotape.

(7) In another November, 1984 meeting with Mike Rinder, another Scientology operative, which meeting was also surreptitiously videotaped, my pc folders were also discussed. Rinder stated that (following the Armstrong trial) my folders were moved from Clearwater. This was probably a lie, since the whole operation against me was based on lies by the organization, but it did show Rinder's knowledge of the use of my pc folders in the operation.

(8) The idea to use my pc folders to entrap me arose from a "debrief" by my former wife, Terri Gamboa, of a meeting we had in March, 1984 just prior to the Armstrong trial. This "debrief," attached hereto as Attachment A, was recently produced by Scientology as part of my B-1 files and was admitted into evidence in the Christofferson trial. The "briefing" and all other programs and documentation which arose from this "debrief," have not been produced.

(9) Regarding my pc folders, Mrs. Gamboa states in Attachment A, page 4, paragraphs 6 and 7:

"An important point for him was getting his pc folders back as he feels that that's the solution

to his future sanity. He brought this up several times.

A line has been established with him and possibly this can be built up from here and used again in the future. He is desperate and he has no way out at this point."


Terri Gamboa was then working for Author Services, Inc., yet the "debrief" was in Scientology intelligence files.

(10) There is no doubt that Scientology/Hubbard or their connected corporations have used my pc folders, and used the information and the folders themselves to entrap, intimidate and destroy me. The folders and contents are mine and these organizations do not have the remotest right to them.

Sworn under the pains and penalties of perjury this 7th day of May, 1985.

Executed at Portland, Oregon.


GERALD ARMSTRONG


Cynthia Chandler
Notary Public for Oregon
My Commission expires: 5/11/87



12 March 1984

DEBRIEF - GERRY ARMSTRONG MEETING - 8 MARCH 84

I met with Gerry Armstrong on Thursday, 8 March 84 to see if I could do any kind of a handling on him to get him to knock off the war and back out of the suit or anything in this direction.

I phoned him on Tuesday the 6th and told him that I would like to meet with him as a friend to see if I could help him in any way. He was agreeable to a meeting, I asked if he was going to bring his wife and he said he would see if she wanted to come and if she did then she would come, otherwise she wouldn't. (He was in Apathy/Boredom)

On Thursday I met with him at 10:00 in the morning up at the Griffith Park Observatory. I arrived 20 minutes late. They drove up behind me, but I found out they had waited 20 minutes and given up, they left but saw me coming up the hill so turned around and came back. So they definitely wanted the meeting. His wife did come so I asked if she could wait for us as I wanted to speak to him alone. They agreed to this.

From the point that he had gotten out of the car, he looked very hostile with a very stern face. His eyes and face looked very insane.

He came over to me and we walked away to talk and I just opened up with regular small talk but the first thing he did was stick his notebook in my face and written on it was "You said that you could help me, so how can you help me?"

Anytime I tried to say something to him, he would just put the notebook in front of me without saying a word, in other words, he didn't want to give me any information or get into anything other than hear what I had to say and how I could help.

I told him that I just wanted to see him uninvolved from all this, I didn't think he needed to keep carrying on this war and that he could end it just by getting out of the suit before it got worse for him and before he ended up owing even more money.

He started to rant and rave to me about how Scientology and LRH had lost him 15 years of his life because it had done him in and jerked him around and screwed him over and so on and so on, ranting and raving insanely. He definitely wanted to get

out of the suit but has a \$100 to \$150,000 debt to his attorneys which he absolutely must pay as they are his "friends" and he "owes them his life for saving him from all this".

I pointed out that he stole the documents and started this whole thing himself, all he had to do was give back the documents and he could end the whole thing. He disagreed of course that he had stolen the documents and said that those documents are vital to proving that he's been screwed around and jerked around with for years. He wants his pc folders very much so that he can regain his sanity by "sorting out what Scientology did to him and unravel it". He kept hinting at wanting some sort of an offer from the Church to help him pay off the attorneys as he is not willing to step out of this and be left economically busted for the rest of his life, as he puts it. I pointed out that there is no way that the Church is going to pay any of his attorney bills as he stole the documents and started the whole thing - the best he can do is to get out before it's worse.

I told him about the recent win in the LA case where the judge ruled that Scientology is a religion etc., etc.... He mentioned that he didn't know about this, but so what type of a response.

He would consistently rant and rave about how Scientology is screwing the world and it's worse than the government and this and that. He would flip into about 100 different valences all at once. He said that he still thinks I'm over the litigation and who am I going to go back and report to and did I get what I came for and here I am just jerking him around like all the others. He saw Marty already and he got jerked around by Marty and now he's getting jerked around by me.

I told him he was jerking me around as I came as a friend to talk to him and he wasn't even willing to talk he just ranted and raved about things that I don't even want to hear, and he might think and believe those things on Scientology and LRH and that's fine but there's millions of other people who don't and I don't and I didn't come here to listen to him carry on about this bullshit. At this point he would knock it off as he could see that I was willing to end the meeting if he did continue. Then we would start having a somewhat sane discussion for a few minutes before the ranting and raving started up again. He compulsively had to rant and rave about Scientology and LRH.

Then he started telling me about his little bird that he has at home and how it speaks 100 different words and it's the sanest part of his life. And then in the middle of this decent conversation, he blurts out "And don't you send one of your people around to kill him!".

He is constantly on the alert and look out for snipers - in the bush that we have planted to kill him. While we were

up at Griffith Park he would constantly look around, in the bushes and check everywhere in case I had set him up. Somebody burst a balloon up there and he almost had a heart attack thinking someone had fired a shot at him.

He said that Scientology has operations out on him trying to kill him and someone (one of us) tried to run him off the freeway and so on. Then he said that he would rather be dead than fighting this way and maybe we would do him the favor of killing him because then it would be all over and he wouldn't have to worry about it anymore and he'd be dead. He said how he can't have any friends because he's afraid of getting close to anybody in case they're a spy for Scientology or whatever. He brought up the SP declare and all the things that are stated in it and how they were not true and they're very out of hand. He again mentioned his pc folders and asked me if I could pass on a message that he wanted his pc folders back. He then asked me to take a message back - "Here I'll give you something to take back to them...If I delivered all the documents to the Church, would they agree they could never be made public under any circumstances, or barring that, under what circumstances would they be made public?" He said "Ask them that, I'd like to know that."

I then asked him why he wanted to know the above as the way he said it was very different from the way he had just been carrying on - it was like a change in his insane ravings and it didn't fit in with his other statements, so I asked him why did he want to know this.

He didn't answer me for awhile (he was sort of daydreaming) and then finally said he didn't know and didn't care and he didn't really want the answer to the question anyway, he just threw it out there and it wasn't really him asking the question anyway. He didn't ask the question, he didn't want to know, it was just during one of his moments of insanity. He said that this whole case and procedure is driving him insane.

I told him I was sorry I couldn't be of more help, but if in the future there was some way I could help him, he could give me a call, he had my phone number already, so I left the line open for the future. I recommended to him that he take a vacation to get away from it all and just let himself destimulate. He said he can't because he's got a trial coming up on the 22nd of March. We started walking back towards the cars and as I walked towards my car, he said "where are you going?", I said "I'm going to my car", he said "Well, uh..." (obviously stalling and wanting to still continue the conversation but not really knowing what to say), he then said "Well don't you want to talk to Jocelyn?" (his wife). I said if you want me to I will. He said "Well I think she might want to talk to you or I think it would be good if you talk to her." We went over to where his wife was standing.

As soon as we got there he switched again to a totally different valence and in a very 1.1 type comment he said "So did you get what you came here for? Are you satisfied? Did you get the data you wanted?" She caught on that something was strange and said "Are you finished talking or do you want me to leave while you continue your discussions?" He said "No, that's fine, we're done." Then he said to me again, "Well did you feel you accomplished much?" And I said, "Well, I'd have to ask you, because I came here to help you, so if you don't feel I was any help, then obviously not." That shut him up and he stopped attacking me. He asked his wife if she wanted to speak to me and she said "I have nothing to say", so I didn't speak with her. I just gave her a friendly smile and indicated we could talk if she wanted to. She didn't. We walked towards the cars and he asked me if my last name was still Gamboa and I said it was. And then we bid each other good-bye and drove away.

SUMMARY

To sum it up, he was pretty nutso and very hard to communicate with as he would be in the middle of a ranting and raving insanity and I'd find that I would have to constantly try and communicate through this. I'd get him to knock it off for a second so that I could actually communicate to him and this would actually work, but then within the next couple of minutes he'd be back into it again so it wouldn't last long.

I did at least establish a comm line with him and I think it is something that I can build on in the future if we want to. He is willing to meet with me and talk with me, however, he trusts no one. He lives in a world of total fear and paranoia of everything and everybody.

It is obvious to me and clear by his statements and actions that he definitely wants out of this suit and he definitely wants help. But he needs the money to pay off his attorneys and that's what he's after - he's hoping that the Church will give him an offer. He has no other way out in his eyes and no way does he want to drop out of this with a debt that will last him for the rest of his life.

He is very desperate for a way out and I feel he would be willing to talk to anybody who might have anything to suggest, only because he'd be hoping that they're going to offer him something that will actually help.

An important point for him was getting his pc folders back as he feels that that's the solution to his future sanity. He brought this up several times.

A line has been established with him and possibly this can be built up from here and used again in the future. He is

desperate and he has no way out at this point.

Terri Gamboa

HUBBARD COMMUNICATIONS OFFICE
Saint Hill Manor, East Grinstead, Sussex

HCO BULLETIN OF 24 AUGUST 1964

Remimeo
Schil Students
Franchise



SCIENTOLOGY I TO VI

SESSION MUST-NOTS

Not that you would do such a thing—you undoubtedly already know better. But just as a matter of record, the following session must-nots should be taught in letters of fire to any new auditor.

I

NEVER tell a pc what his present time problem is.

The pc's PTP is exactly and only what the pc thinks or says it is.

To tell a pc what his PTP is and then audit what the auditor said it was will inevitably ARC Break the pc.

This of course is under the heading of Evaluation in the Auditor's Code and is one way of evaluating, a very serious way too.

II

NEVER set a goal for a pc.

Don't set a session goal, a life or livingness goal or any other kind of a goal.

Auditors get tangled up on this because everybody has the same R6 goals and when you call out the next goal from the list it appears you are giving the pc a goal. But an R6 educated pc knows that and it isn't evaluation.

Other goals are highly variable. The pc's life and livingness goals and session goals are especially variable pc to pc and even within one session on the same pc.

To tell a pc what goals to set for a session or for life is to upset the pc.

If you don't believe it, trace some pc's upsets with their parents and you will find these usually trace back to the parents' setting life and livingness goals for the child or youth.

The pc's session and life and livingness goals are the pc's and for an auditor to deny, refute, criticize or try to change them gives ARC Breaks; and for an auditor to dream up a brand new one for the pc is especially evaluative.

III

NEVER tell a pc what's wrong with him physically or assume that you know.

What's wrong with the pc is whatever the pc says or thinks is wrong physically.

This applies of course only to processing, for if you *weren't* auditing the person, and if the person had a sore foot and you found a splinter in it and told him so, it would be all right. But even in this case the person would have had to tell you he had a sore foot.

The main reason society has such a distaste for medical doctors is the MDs' continuous "diagnosis" of things the person has *not* complained of. The violence of

surgery, the destruction of lives by medical treatment rather educates people not to mention certain things. Instinctively the patient knows that the treatment may leave him or her in much worse condition and so sometimes hides things. For the medical doctor to cry "Aha" and tell the person he or she has some undefinable ill is to drive many into deep apathy *and accounts for the high frequency of operational shock* wherein the person just doesn't recover.

So NEVER tell a pc what is physically wrong with him. If you suspect something is physically wrong that some known physical treatment might cure send the pc for a physical check-up just to be safe.

In the field of healing by mental or spiritual means, the pc is sick because he or she has had a series of considerations about being sick. Deformity or illness, according to the tenets of mental healing, traces back to mentally created or re-created masses, engrams or ideas which can be either *de-stimulated* or erased completely. De-stimulation results in a temporary recovery for an indefinite period (which is nonetheless a recovery). Erasure results in permanent recovery. (De-stimulation is the most certain, feasible and most rewarding action below Level VI; erasure below Level VI is too prone to error in unskilled hands as experience has taught us.)

The reality of the auditor is often violated by a pc's statement of what ails him. The pc is stone blind—but the pc says he has "foot trouble". Obviously, from the auditor's viewpoint, it is blindness that troubles this pc. BUT IF THE AUDITOR TRIED TO AUDIT THE AILMENT THE PC HAS *NOT* OFFERED, AN ARC BREAK WILL OCCUR.

The pc is ailing from what the pc is ailing from, not from what the auditor selects.

For it is the statement of the pc that is the first available lock on a chain of incidents and to refuse it is to cut the pc's communication and to refuse the lock. After that you won't be able to help this pc and that's that.

PERMITTED AUDITOR STATEMENTS

There are, however, two areas where the auditor must make a statement to the pc and assume the initiative.

These are in the OVERT—MOTIVATOR SEQUENCE and in the ARC BREAK.

A

When the pc is critical of the auditor, the organization or any of many things in life, this is *always* a symptom of *overts* priorly committed by the pc.

The pc is looking for motivators. These criticisms are simply justifications *and nothing more*.

This is a sweeping fully embracive statement—and a true one. There are *no* criticisms in the absence of *overts* committed earlier by the pc.

It is quite permissible for the auditor to start looking for the overt, providing the auditor finds it and gets it stated by the pc and therefore relieved.

But even here the auditor only states there is an overt. The auditor NEVER says what the overt is for that's evaluation.

You will be amazed at what the pc considered was the overt. It is almost never what we would think it should be.

But also, an auditor whose pc is critical of him or her in session who does not say, "It sounds like you have an overt there. Let's find it," is being neglectful of his job.

The real test of a professional auditor, the test that separates the unskilled from the skilled is: CAN YOU GET AN OVERT OFF THE PC'S CASE WITHOUT ARC BREAKING THE PC AND YET GET IT OFF.

The nice balance between demanding the pc get off an overt and getting it off and demanding the pc get off an overt and failing to get it off but ARC Breaking the pc is the border line between the unskilled and the professional.

If you demand it and don't do it you'll ARC Break the pc thoroughly. If you fail to demand it for fear of an ARC Break you'll have a lowered graph on the pc. The pro demands the overt be gotten off only when necessary and plows on until it's gotten off and the pc brightens up like a lighthouse. The amateur soul-searches himself and struggles and fails in numerous ways—by demanding the wrong overt, by accepting a critical comment as an overt, by not asking at all for fear of an ARC Break, by believing the pc's criticism is deserved—all sorts of ways. And the amateur lowers the pc's graph.

Demanding an overt is not confined to just running O/W or some similar process. It's a backbone auditing tool that is used when it has to be used. And not used when it doesn't have to be.

The auditor must have understood the whole of the overt-motivator theory to use this intelligently.

B

Indicating by-passed charge is a necessary auditor action which at first glance may seem evaluative.

However, the by-passed charge is *never* what the pc says it was if the pc is still ARC Broken.

By-Passed Charge is, however, found by the meter and the pc has actually got it or it wouldn't register. So the pc has really volunteered it in a round-about way—first by acting like he or she has by-passed charge and then by bank reaction on the meter.

Always indicate to the pc the by-passed charge you *find on the meter*.

Never tell a pc what the by-passed charge is if you don't know.

A Class VI auditor knows all goals but *the* goals are wrong and often sloppily just tells people at random they have "a wrong goal" knowing this to be probable. But it's very risky.

If you find it on the meter, telling the pc what the by-passed charge is is not evaluation. Telling the pc "what it is" without having found it *is* evaluation of the worst sort.

L. RON HUBBARD

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DIANETICS AND SCIENTOLOGY
TECHNICAL DICTIONARY

by

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Publications Organization

Los Angeles

CRITICISM

CREATE, make, manufacture, construct, postulate, bring into beingness. (*FOT*, p. 20)

CREATE-COUNTER-CREATE, to create something against a creation, to create one thing and then create something else against it. (*FOT*, pp. 20-21)

CREATE-CREATE-CREATE, create again continuously one moment after the next=**SURVIVAL**. (*FOT*, p. 20)

CREATIVE IMAGINATION, imagination, whereby in the field of aesthetics the urges and impulses of the various dynamics are interwoven into new scenes and ideas. (*SOS*, Bk. 2, p. 101)

CREATIVE PROCESSING, 1. the exercise by which the pc is actually putting up the physical universe. (SH Spec 52, 6502C23)
2. creative processing consists of having the preclear make, with his own creative energies, a mock-up. (*COHA Gloss*)

CRIMINAL, 1. one who is unable to think of the other fellow, unable to determine his own actions, unable to follow orders, unable to make things grow, unable to determine the difference between good and evil, unable to think at all on the future. Anybody has some of these; the criminal has ALL of them. (*NSOL*, p.78) 2. one who thinks help cannot be on any dynamic or uses help on anyone to injure and destroy. (HCOB 28 May 60)
3. criminals are people who are frantically attempting to create an effect long after they know they cannot. They cannot then create decent effects, only violent effects. Neither can they work. (*FOT*, pp. 31-32)

CRISS-CROSS, see 3DXX.

CRITICAL THOUGHT, 1. a symptom of an overt act having been committed. (SH Spec 37, 6409C01) 2. a critical pc=a withhold from the auditor. (HCOB 23 Aug 71)

CRITICISM, 1. most criticism is justification of having done an overt. There are rightnesses and wrongnesses in conduct and society and life at large, but random, carping 1.1 criticism when not borne out in fact is only an effort to reduce the size of the target of the overt. (HCOB 21 Jan 60, *Justification*) 2. a

HUBBARD COMMUNICATIONS OFFICE
Saint Hill Manor, East Grinstead, Sussex

HCO BULLETIN OF 21 JANUARY AD10

Fran Hldrs
HCO Secs
Assn Secs
HCO and HASI Staffs

JUSTIFICATION

When a person has committed an overt act and then withholds it, he or she usually employs the social mechanism of justification.

We have all heard people attempt to justify their actions and all of us have known instinctively that justification was tantamount to a confession of guilt. But not until now have we understood the exact mechanism behind justification.

Short of Scientology Auditing there was no means by which a person could relieve himself of consciousness of having done an overt act except to try to *lessen the overt*.

Some churches used a mechanism of confession. This was a limited effort to relieve a person of the pressure of his overt acts. Later the mechanism of confession was employed as a kind of blackmail by which increased contribution could be obtained from the person confessing. Factually this is a limited mechanism to such an extent that it can be extremely dangerous. Religious confession does not carry with it any real stress of responsibility for the individual but on the contrary seeks to lay responsibility at the door of the Divinity—a sort of blasphemy in itself. I have no axe to grind here with religion. Religion as religion is fairly natural. But psychotherapy must be in itself a completed fact or, as we all know, it can become a dangerous fact. That's why we flatten engrams and processes. Confession to be non-dangerous and effective must be accompanied by a full acceptance of responsibility. All overt acts are the product of irresponsibility on one or more of the dynamics.

Withholds are a sort of overt act in themselves but have a different source. Oddly enough we have just proven conclusively that man is basically good—a fact which flies in the teeth of old religious beliefs that man is basically evil. Man is good to such an extent that when he realizes he is being very dangerous and in error he seeks to minimize his power and if that doesn't work and he still finds himself committing overt acts he then seeks to dispose of himself either by leaving or by getting caught and executed. Without this computation Police would be powerless to detect crime—the criminal always assists himself to be caught. Why Police punish the caught criminal is the mystery. The caught criminal wants to be rendered less harmful to the society and wants rehabilitation. Well, if this is true then why does he not unburden himself? The fact is this: unburdening is considered by him to be an overt act. People withhold overt acts because they conceive that telling them would be another overt act. It is as though Thetans are trying to absorb and hold out of sight all the evil of the world. This is wrong-headed, by withholding overt acts these are kept afloat in the universe and are themselves as withholds entirely the cause of continued evil. Man is basically good but he could not attain expression of this until now. Nobody but the individual could die for his own sins—to arrange things otherwise was to keep man in chains.

In view of these mechanisms, when the burden became too great man was driven to another mechanism—the effort to lessen the size and pressure of the overt. He or she could only do this by attempting to reduce the size and repute of the terminal. Hence, not-issness. Hence when a man or a woman has done an overt act there usually follows an effort to reduce the goodness or importance of the target of the overt. Hence the husband who betrays his wife must then state that the wife was no good in some way. Thus the wife who betrayed her husband had to reduce the husband to reduce the overt. This works on all dynamics. In this light most criticism is justification of having done an overt.

K.

This does not say that all things are right and that no criticism anywhere is ever merited. Man is not happy. He is faced with total destruction unless we toughen up our postulates. And the overt act mechanism is simply a sordid game condition man has slipped into without knowing where he was going. So there are rightnesses and wrongnesses in conduct and society and life at large, but random, carping criticism when not borne out in fact is only an effort to reduce the size of the target of the overt so that one can live (he hopes) with the overt. Of course to criticise unjustly and lower repute is itself an overt act and so this mechanism is not in fact workable.

Here we have the source of the dwindling spiral. One commits overt acts unwittingly. He seeks to justify them by finding fault or displacing blame. This leads him into further overts against the same terminals which leads to a degradation of himself and sometimes those terminals.

Scientologists have been completely right in objecting to the idea of punishment. Punishment is just another worsening of the overt sequence and degrades the punisher. But people who are guilty of overts demand punishment. They use it to help restrain themselves from (they hope) further violation of the dynamics. It is the victim who demands punishment and it is a wrong-headed society that awards it. People get right down and beg to be executed. And when you don't oblige, the woman scorned is sweet-tempered by comparison. I ought to know—I have more people try to elect me an executioner than you would care to imagine. And many a preclear who sits down in your pc chair for a session is there just to be executed and when you insist on making such a pc better, why you've had it, for they start on this desire for execution as a new overt chain and seek to justify it by telling people you're a bad auditor.

When you hear scathing and brutal criticism of someone which sounds just a bit strained, know that you have your eye on overts against that criticised person and next chance you get pull the overts and remove just that much evil from the world.

And remember, by and by, that if you make your pc write these overts and withholds down and sign them and send them off to me he'll be less reluctant to hold on to the shreds of them—it makes for a further blow of overts and less blow of pc. And always run responsibility on a pc when he unloads a lot of overts or just one.

We have our hands here on the mechanism that makes this a crazy universe so let's go for broke on it and play it all the way out.

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HCO POLICY LETTER OF 25 FEBRUARY 1966

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ATTACKS ON SCIENTOLOGY
(Additional Pol Ltr)

Anyone proposing an investigation of or an "Enquiry" into Scientology must receive this reply and no other proposal:

"We welcome an investigation into (Mental Healing or whoever is attacking us) as we have begun one ourselves and find shocking evidence."

You can elaborate on the evidence we have found and lay it on their attacking the attackers only.

NEVER agree to an investigation of Scientology. ONLY agree to an investigation of the attackers.

This was the BIG error made in Victoria. I okayed an Enquiry into all mental healing. I ordered evidence on psychiatric murders to be collected. Non-Compliance with those orders brought on the loss of Melbourne and the law in Victoria against Scientology. This was the non-compliance that began it. The original order I gave was relayed as "we welcome an Enquiry into Scientology...." or it was changed to that in Melbourne.

This is correct procedure:

- (1) Spot who is attacking us.
- (2) Start Investigating them promptly for FELONIES or worse using our own professionals, not outside agencies.
- (3) Double curve our reply by saying we welcome an investigation of them.
- (4) Start feeding lurid, blood, sex, crime actual evidence on the attacker to the press.

Don't ever tamely submit to an investigation of us. Make it rough, rough on attackers all the way.

You can get "reasonable about it" and lose. Sure we break no laws. Sure we have nothing to hide. BUT attackers are simply an anti-Scientology propaganda agency so far as we are concerned. They have proven they want no facts and will only lie no matter what they discover. So BANISH all ideas that any fair hearing is intended and start our attack with their first lie. Never wait. Never talk about us - only them. Use their blood, sex, crime to get headlines. Don't use us.

I speak from 15 years of experience in this. There has never yet been an attacker who was not reeking with crime. All we had to do was look for it and murder would come out.

They fear our Metax. They fear freedom. They fear the way we are growing. Why?

Because they have too much to hide.

When you use that rationale you win. When you go dishwater and say "We honest chickens just plain love to have you in the coop, Brer Fox," we get clobbered. The right response is "We militant public defenders of the freedom of the people want there Fox investigated for eating living chickens." Shine the spotlight to them. No matter how. Do it!

You can elaborate on the formula. Let's say some other branch of government wants to investigate us via the press. Just apply the formula.

DARBY PRESS, OAKLAND, CA
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"We welcome a public enquiry into (that branch activity) as we have begun to investigate their (---)." It will always work. It could have worked on the U.S. F.D.A. when they first began five years ago. Their raid on D.C. They run! And that's all we want.

HOW TO STOP ATTACKS

The way we will eventually stop all attacks from the re on out is by processing the society as follows:

- (1) Locate a source of attack on us.
- (2) Investigate it.
- (3) Expose it with wide lurid publicity.

You see the same thing in a preclear. He has a rotten spot in his behaviour. He attacks the practitioner. The spot is located on a meter. It blows and the preclear relaxes.

Well this is just what is happening in the society. We are a practitioner to the society. It has rotten spots in it. Those show up in attacks on us. We investigate and expose - the attack ceases.

We use investigators instead of E-Meters. We use newspapers instead of auditor reports. But it's the same problem exactly.

So long as we neglect our role as auditor-to-the-society we will be attacked.

Society is pretty crazy. It's a raw jungle. So it will take a lot of work. We must be willing to put in that work as a group or we'll be knocked about.

Remember, CHURCHES ARE LOOKED UPON AS REFORM GROUPS.

Therefore we must act like a reform group.

The way to seize the initiative is to use our own professionals to investigate intensively parts of the society that may attack us. Get an ammunition locker full. Be sure of our facts. And then expose via the press.

If we do this right, press, instead of trying to invent reasons to attack us will start hanging around waiting for our next lurid scoop.

We must convert from an attacked group to a reform group that attacks rotten spots in the society. We should not limit ourselves to mental healing or our own line. We should look for zones to investigate and blow the lid off and become known as a mighty reform group. We object to slavery, oppression, torture, murder, perversion, crime, political sin and anything that makes Man unfree.

The only error we can make is dispersing our investigation. We do a preliminary look, then we must select a target and investigate it until we have the cold facts and then BANG, fire the salvo.

Don't worry about libel if our facts indicate rottenness. The last thing that target will do is sue as then we would have a chance to prove it in court, which they are terrified of our doing.

Remember - the only reason we are in trouble with the press or governments is that we are not searching out and exposing rotten spots in the society. We must practice on the whole group called society. If we do not it will attack us just as a preclear will attack a Scientist that won't audit him.

To get wholly over to cause we must select targets, investigate and expose before they attack us.

We have at this writing a long way to go. But we might as well

start somewhere. Begin by investigating any attacking group, find
and expose the dead bodies. Then work on to our selecting the targets.

A² that will handle it all.

L. RON HUBBARD

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